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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Wednesday, May 23, 2007.

Met according to adjournment at ten o'clock A.M. (Mr. Rosenberg in the Chair).

The Senator from Hamden and Hampshire, Mr. Knapik, led the Chair (Mr. Rosenberg), members, guests and employees in the recitation of the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, during consideration of the orders of the Day, several guests were recognized as follows:

The President handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced the 7th grade class from the St. Jerome's School in North Weymouth.

The President handed the gavel to Mr. McGee for the purpose of an introduction. Mr. McGee then introduced his legislative aide Brendan Crighton, who was accompanied by his mother Diane Crighton and his grandparents, Peter and Joan Olson.

Papers from the House.

A message from His Excellency the Governor recommending legislation relative to amending the law providing incentives to the motion picture industry (House, No. 4043),-- was referred, in concurrence, to the committee on Revenue.

Reports

Of the committee on Education, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 538) of Robert S. Edwards for legislation to establish a student athlete sports injury commission,-- **and recommending that the same be referred to the committee on Public Health.**

Of the committee on Financial Services, asking to be discharged from further consideration

Of the joint petition (accompanied by bill, House, No. 31) of Bradley H. Jones, Jr., and others relative to municipal relief,-- **and recommending that the same be referred to the committee on Municipalities and Regional Government.**

Of the petition (accompanied by bill, House, No. 38) of Stephen Kulik and others amending the micropurchasing threshold under chapter 149,-- **and recommending that the same be referred to the committee on State Administration and Regulatory Oversight.**

Of the committee on Housing, asking to be discharged from further consideration

Of the petition (section 5) (accompanied by bill, Senate, No. 747) of Jarrett T. Barrios, David M. Torrissi, Mark C. Montigny, Brian A. Joyce and other members of the General Court for legislation to preserve home ownership;

Of the petition (section 5) (accompanied by bill, House, No. 1290) of David M. Torrissi and others for legislation to establish a home preservation fund to preserve and promote homeownership; and

Of the petition (sections 7 and 8) (accompanied by bill, House, No. 1237) of Kevin G. Honan and others for legislation to protect homeowners from mortgage foreclosures;

**And recommending that the same severally be referred to the committee on Financial Services.
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-

Resolutions (filed by Mr. Moore) “recognizing the thirtieth anniversary of the Massachusetts Organization of Nurse Executives (MONE).”

Recess.

There being no objection, at two minutes past ten o’clock A.M., the Chair (Mr. Rosenberg) declared a recess subject to the call of the Chair; and, at twenty-four minutes before eleven o’clock A.M., the Senate reassembled, the President in the Chair.

Prayer.

The Senator from Worcester, Hampden, Hampshire and Franklin, Mr. Brewer, offered the following prayer:

Almighty and Eternal God, most just and merciful grant unto us Thy grace, that we may always do what we know to be Thy will and always will what Thou willest, that, thus purified and interiorly enlightened and so inflamed with the fire of Thy Holy Spirit, we may follow in the footsteps of Thy beloved Son, Jesus Christ, and thus arrive at the possession of thee, Who livest and reignest, one God, world without end. Amen.

Orders of the Day.

The Orders of the Day were considered as follows:-

The House Bill making appropriations for the fiscal year 2008 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. 4001),- was read a second time.

Pending the main question on ordering the bill to a third reading and pending the question on adoption of the amendment as recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3, the following amendments were considered:-

Mr. Joyce moved that the bill be amended by inserting, after SECTION ____, the following new Section: -

“SECTION ____. Notwithstanding any general or special law to the contrary, approval or construction of a new route I-95/Dedham Street ramp in the town of Canton shall be subject to prior approval by the Board of Selectmen in the town of Canton.”

The amendment was *rejected*.

Ms. Menard, Messrs. Barrios and Montigny moved that the bill be amended by inserting, after Section 85, the following new Section: -

SECTION 86. Notwithstanding any general or special law to the contrary, the Commonwealth of Massachusetts is hereby prohibited from issuing any permits to new liquefied natural gas facilities that are to be located within 1mile of a school, hospital, or nursing home.

After remarks, the amendment was **adopted**.

Ms. Menard moved that the bill be amended by inserting, after Section 85, the following new Section: -

“SECTION 86. The first paragraph of Section 1 of chapter 64C of the General Laws is hereby amended by striking out the word “cigarettes” in line 6 (in the definition of “manufacturer”) and inserting in place thereof the words “tobacco products”.

SECTION _____. The first paragraph of Section 1 of chapter 64C of the General Laws is hereby further amended by striking out the words “cigarettes and smokeless tobacco” in the definition of “tobacco products” and inserting in place thereof the words “cigarettes, roll your own tobacco, and smokeless tobacco”.

SECTION _____. The first sentence of the second paragraph in Section 1 of chapter 64C of the General Laws is hereby amended by striking out the words “the word ‘cigarette’ shall include within its meaning smokeless tobacco;” and inserting in place thereof the following words: “the word ‘cigarette’ shall include within its meaning roll your own tobacco and smokeless tobacco;”

SECTION _____. The last sentence of the second paragraph in Section 1 of chapter 64C of the General Laws is hereby further amended by striking out the words “shall not apply to smokeless tobacco.” and inserting in place thereof the following words “shall not apply to roll your own tobacco or smokeless tobacco. ‘Roll your own tobacco’ shall mean, consistent with section 1 of chapter 94E of the General Laws, any tobacco that, because of its appearance, type, packaging, or labeling is suitable for use and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes.”

SECTION _____. Section 2 of chapter 64C of the General Laws, as so appearing, is hereby amended by inserting after the existing paragraph the following sentence: “Any Tobacco Product Manufacturer as that term is defined in section 1 of chapter 94E of the General Laws, must be licensed to sell cigarettes and roll your own tobacco in the Commonwealth in addition to satisfying the requirements of chapter 94F of the General Laws and the regulations promulgated there under to qualify for placement on the Commonwealth’s public directory in accordance with section 2 of chapter 94F.”

SECTION _____. The third paragraph in section 6 of chapter 64C of the General Laws, as so appearing, is hereby amended by striking out the words “cigars and smoking tobacco” and inserting in place thereof the words “cigars, roll your own tobacco, and smoking tobacco”.

SECTION _____. The third paragraph in section 6 of chapter 64C of the General Laws, as so appearing, is hereby further amended by inserting after the existing paragraph the following sentence: “The excise imposed by this section on roll your own tobacco shall be collected by licensed wholesalers who shall sell the roll your own tobacco in the Commonwealth only to those persons licensed to sell roll your own tobacco. Whenever used in this chapter or chapter sixty-two C, unless the context otherwise requires, the word “smoking tobacco” shall include within its meaning all smoking tobacco other than cigarettes, roll your own tobacco, and cigars.”

SECTION _____. Subsection (a) of section 7B of chapter 64C of the General Laws, as so appearing, is hereby amended by striking out the words “cigars and smoking tobacco” and inserting in place thereof the words “cigars, roll your own tobacco, and smoking tobacco”.

SECTION _____. Subsection (a) of section 7B of chapter 64C of the General Laws, as so appearing, is hereby further amended by inserting after the existing paragraph the following sentence: “The excise imposed by this section on roll your own tobacco shall be collected by licensed wholesalers who shall sell the roll your own tobacco in the Commonwealth only to those persons licensed to sell roll your own tobacco.”

SECTION _____. Subsection (c) of section 16 of chapter 62C of the General Laws, as so appearing, is hereby amended by inserting after the existing paragraph the following sentence: “In addition to other penalties provided by this chapter and chapter 64C, the commissioner may assess a civil penalty of not more than \$10,000 for a licensee’s failure to file with its return any schedule prescribed by the commissioner containing information about roll your own tobacco sold in the Commonwealth. In addition to the civil penalty, the commissioner may impose a 14-day license suspension to distribute for a second failure to file any required schedule within 12 months and a license revocation to distribute for a third failure to file any required schedule with 2 years. If a licensee knowingly files false information about roll your own tobacco sold in the Commonwealth, the commissioner may assess a civil penalty of not more than \$10,000 for each such filing.”

After remarks, the amendment was **adopted**.

Mr. McGee moved that the bill be amended by inserting the following new section ____: -

“SECTION XX. Notwithstanding any general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer from the General Fund to the Workforce Competitiveness Trust Fund established pursuant to section 2WWW of chapter 29 of the General Laws an amount equal to the workforce training contributions required by section 14L of chapter 151A of the General Laws and collected in each fiscal year pursuant to said requirements; provided, however, that said transfer shall not be less than \$3,000,000.”

The amendment was *rejected*.

Messrs. Moore, Augustus, Rosenberg, Ms. Chandler, Ms. Jehlen, and Mr. Tarr, and Ms. Spilka moved that the bill be amended by inserting, after Section____, the following Section:-

SECTION ____ . (a) There shall be a special commission on civic engagement and learning consisting of: 3 members of the senate, 1 of whom shall be the senate chairperson of the joint committee on education, 1 of whom shall be a member of the majority party to be appointed by the president of the senate and 1 of whom shall be a member of the minority party to be appointed by the minority leader of the senate; 3 members of the house of representatives, 1 of whom shall be the house chairperson of the joint committee on education, 1 of whom shall be a member of the majority party to be appointed by the speaker of the house of representatives and 1 of whom shall be a member of the minority party to be appointed by the minority leader of the house of representatives; the director of the legislative education office of the general court , or his designee; the chancellor of the board of higher education, or his designee; the commissioner of the department of education, or his designee; the president of the Massachusetts Association of School Superintendents, or his designee; the president of the Massachusetts Association of School Committees, or his designee; the president of the Massachusetts Teachers Association, or his designee; the president of the Massachusetts Chapter of the American Federation of Teachers, or his designee; the president of the Massachusetts Council for the Social Studies, or his designee; the president of the Massachusetts League of Women Voters, or his designee; the president of the Massachusetts Bar Association, or his designee; the Massachusetts state coordinator of the Center for Civic Education; a representative of local government appointed by the Massachusetts Municipal Association; a representative of the judicial branch appointed by the chief administrative justice of the trial court; and 6 members appointed by the governor, 1 of whom shall be the dean of a school of education or chair of a department of education skilled in the preparation of teachers, 1 of whom shall have expertise in adult education, 1 of whom shall be a scholar in the field of civic education, 1 of whom shall have expertise in curriculum development with special emphasis on civic learning, 1 of whom shall have expertise in the field of civic engagement of youth, and 1 of whom shall have expertise in service learning.

(b) The co-chairpersons of the special commission shall be a member of the senate designated by the senate president and a member of the house designated by the speaker of the house of representatives. The organizational session of the commission shall be convened by the co-chairpersons once the members of the commission have been appointed, but not later than 60 days after the effective date of this act whether or not all of the gubernatorial appointees have been appointed and qualified.

(c) The special commission shall make an investigation and study of the status of civic engagement and learning in the commonwealth including, but not limited to:

- (1) an assessment of the status of civic education in the commonwealth from kindergarten through high school and undergraduate college education with particular attention to compliance by agencies of public education and public higher education with section 2 of chapter 71 and section 2A of chapter 73 of the General Laws; including an assessment of the civic knowledge of graduates of the public high schools of the commonwealth;
- (2) an investigation of the opportunities available to the students of the commonwealth for service learning that develops an understanding of the relationship of those experiences with democratic government and a review of programs that teach civic engagement knowledge and skills that are essential to the development of active citizens;
- (3) an investigation of the status of public and private programs that promote civic engagement and learning including, but not limited to Massachusetts History Day, established pursuant to this act and Massachusetts Student Government Day, established pursuant to section 12M of chapter 6 of the General Laws; and how those programs could be enhanced or expanded through cooperation among themselves and with other entities such as schools and colleges, and through additional resources from public or private sources to be more effective and generally available to a larger number of students or the population at large;
- (4) an assessment of best practices in civic education in the United States that could serve as models for improving civic engagement and learning in the commonwealth;
- (5) an assessment of the implementation of the history and social studies curriculum frameworks by the department of education and the school districts of the commonwealth, including recommendations for the development and assessment of practical skills for civic engagement that are complementary to the knowledge based aspects of the frameworks;
- (6) an assessment of the need for a permanent entity students to promote civic engagement by a responsible citizenry and to encourage the building of partnerships to enhance the teaching and learning of the principles of representative democracy in the commonwealth; and
- (7) any other matters that the special commission considers relevant to the fulfillment of its mission and purpose.

(d) The special commission may conduct public hearings appropriate to gathering information and to raising the civic awareness of the people of the commonwealth, including the sponsorship of 1 or more statewide or regional conferences involving educators, students, or the public at large. The department of education and the board of higher education shall provide staff and other resources as the commission and those agencies consider appropriate. The special commission shall make its final report to the joint committee on education, including recommendations for legislation or other appropriate measures as it considers necessary, not later than November 1, 2008, and may make interim reports as it considers appropriate.”

finance and policy, the executive director of the Betsy Lehman Center for Patient Safety, and the executive director of the commonwealth connector shall serve as ex officio, nonvoting members of the task force.

3. The task force shall:

- a. Develop an electronic health records system that provides linkages between multiple settings including, but not limited to the MassHealth and SCHIP programs, programs administered by the Commonwealth Connector, and programs serving children in foster care, that utilize health records and that is consistent with requirements for community health records and electronic prescribing.
- b. Evaluate the economic model and the anticipated benefits of electronic health records.
- c. Provide quarterly updates to the governor and the chairs of the house and senate committees on ways and means and the chairs of the joint committee on health care financing regarding progress in the development of national standards and the work of the task force.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-nine minutes past eleven o'clock A.M., on motion of Mr. Moore, as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 22]**:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne —

38.

NAYS — 0.

The yeas and nays having been completed at twenty-eight minutes before twelve o'clocknoon, the amendment was adopted.

Messrs. Moore and Augustus and Ms. Chandler, Ms. Jehlen, Ms. Candaras, and Mr. Tarr moved that the bill be amended by inserting, after Section____, the following Section:-

SECTION _____. Chapter 19A of the general laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after section 4C, the following new section:-

(a) There shall be a special commission on falls preventions to make an investigation and comprehensive study of the creation of

a statewide falls reduction in the elderly community program. The commission shall consist of 4 members of the senate, 1 of whom shall be the senate chairperson of the joint committee on health care financing, 1 of whom shall be the senate chairperson of the joint committee on elder affairs, 1 of whom shall be a member of the majority party to be appointed by the president of the senate and 1 of whom shall be a member of the minority party to be appointed by the minority leader of the senate; 4 members of the house of representatives, 1 of whom shall be the house chairperson of the joint committee on health care financing, 1 of whom shall be the house chairperson of the joint committee on elder affairs, 1 of whom shall be a member of the majority party to be appointed by the speaker of the house of representatives and 1 of whom shall be a member of the minority party to be appointed by the minority leader of the house of representatives, the secretary of the executive office of health and human services or his designee, the commissioner of the department of public health or his designee, the secretary of elder affairs or his designee, the commissioner of medical assistance or his designee; and 6 members appointed by the Governor, 1 of whom shall be a designee from the Home Care Alliance of Massachusetts, 1 of whom shall be a designee from the American Association of Retired Persons, 1 of whom shall be a designee from the Massachusetts Extended Care Federation, one of whom shall be a designee from the Massachusetts Councils on Aging, one of whom shall be a designee from the Massachusetts Medical Society, and one of whom shall be a designee of the Massachusetts Pharmacists Association

(b) The Commission on Falls Prevention shall conduct a review of the effects of falls of older adults on health care costs, the potential for reducing the number of falls of older adults and the most effective strategies for reducing falls and health care costs associated with falls. The commission shall:

1. Consider strategies to improve data collection and analysis to identify fall risk, health care cost data and protective factors;
2. Consider strategies to improve the identification of older adults who have a high risk of falling;
3. Consider strategies to maximize the dissemination of proven, effective fall prevention interventions and identify barriers to those interventions;
4. Assess the risk and measure the incidence of falls occurring in various settings;
5. Identify evidence-based strategies used by long-term care providers to reduce the rate of falls among older adults and reduce the rate of hospitalizations related to falls.
6. Identify evidence-based community programs designed to prevent falls among older adults;
7. Review falls prevention initiatives for community-based settings; and
8. Examine the components and key elements of the above falls prevention initiatives, consider their applicability in Massachusetts and develop strategies for pilot testing, implementation and evaluation

(c) The Commission on Falls Prevention shall submit a report to the secretary of health and human services and the joint committee on health care financing, no later than November 2, 2008 that includes findings under section 1, recommendations and suggested legislation. The report must include recommendations for:

1. A statewide demonstration project assessing the utility of targeted fall risk screening and referral programs;
2. Intervention approaches, including physical activity, medication assessment and reduction of medication when possible, vision enhancement and home-modification strategies;
3. Strategies that promote collaboration between the medical community, including physicians, long-term care providers, and pharmacist to reduce the rate of falls among their patients.
4. Programs that are targeted to fall victims who are at a high risk for 2nd falls and that are designed to maximize independence and quality of life for older adults, particularly those older adults with functional limitations; and
5. Programs that encourage partnerships to prevent falls among older adults and prevent or reduce injuries when falls occur.
6. Programs to encourage long-term care providers in Massachusetts to implement falls prevention strategies which use specific interventions to help all patients avoid the risks for falling in an effort to reduce hospitalizations and prolong a high quality of life.

The amendment was *rejected*.

Messrs. Moore, Augustus, Antonioni, and Ms. Chandler moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION ____ . Notwithstanding any general or special law or regulation to the contrary, that a supplemental rate shall be provided annually by the department of health care finance and policy and the executive office of health and human services, masshealth office, to those community health centers serving as three-year family medicine residency training program sites for the commonwealth funded medical school. This supplemental rate shall be part of a “family medicine residency incentives pilot program” and said rate shall be sufficient to compensate said health centers for the costs associated with operating said residency training sites, and provided further that such supplemental rate shall be paid as an add-on of at least \$31.25 to the current rate per patient visit.

Provided further that the Department of Medicaid shall commission a study to explore the feasibility of expanding this pilot

program to other community health centers who establish similar family medicine training programs. The study shall explore the financial impact of this incentive and its potential for expanding the pipeline for family practitioners who choose to treat the poor and underserved in community health and rural settings. The Department shall report its findings to the House and Senate Chairs of the Joint Committee on Health Care Financing, the Committee on Senate Ways and Means, and the Committee on House Ways and Means no later than April 15, 2008.”

After debate, the amendment was *rejected*.

Messrs. Moore and Brewer, Ms. Chandler, Ms. Candaras, Mr. Tarr, and Ms. Tucker moved that the bill be amended by inserting, after Section ____, the following Section:-

SECTION ____. (a) Notwithstanding the provisions of any general or special law to the contrary, there is hereby established and set up on the books of the Commonwealth a separate trust fund to be known as the Massachusetts Nursing and Allied Health Workforce Development Trust Fund, hereinafter referred to as the health care workforce 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 chancellor of higher education for this purpose. The board of higher education shall hold the health workforce trust fund in an account or accounts separate from other funds or accounts. Amounts credited to the health care workforce trust fund shall be expended by the chancellor of higher education to carry out the purposes set forth in subsection (b). Any balance in the trust 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 public purposes of the Massachusetts Nursing and Allied Health Workforce Development Trust Fund shall be to develop and support, in consultation with the Massachusetts Nursing and Allied Health Workforce Development Advisory Committee, short and long-term strategies that increase the number of Massachusetts public and private higher education faculty and students who participate in programs that support careers in fields related to nursing and allied health. The chancellor of higher education may expend from the health care workforce trust fund such administrative monies as may be necessary for the administration of the Massachusetts Nursing and Allied Health Workforce Development Initiative. In furtherance of these public purposes, the chancellor of higher education shall expend the health care workforce trust fund monies on activities that are calculated to increase the number of qualified nursing and allied health faculty and students in the commonwealth 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, the University of Massachusetts, state and community colleges, private higher education institutions in partnership with public higher education institutions, business and industry partnerships, regional alliances, workforce investment boards, 501(c)(3) organizations and other community groups which promote the nursing profession. 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 higher education, as institutions and in partnerships with other stakeholders, in meeting the short and long-term workforce challenges in the nursing and allied health professions and;
- (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 and;
- (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 respond effectively to these challenges.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended moved that the bill be amended by inserting, after Section ____, the following Section:-

“SECTION __.

Section 1. Subsection (h) of Section 16L of Chapter 6A of the General Laws is hereby amended by inserting the following paragraph:—

(). The council shall establish a state-wide database of all hospital acquired infection information, reported to the council pursuant to section 205A of Chapter 111, for the purpose of supporting quality improvement and infection control activities in hospitals. The database shall be organized so that consumers, hospitals, healthcare professionals, purchasers and payers may compare individual hospital experience with that of other individual hospitals as well as regional and state-wide averages and,

where available, national data. A summary table, in a format designed to be easily understood by lay consumers, that includes individual facility hospital acquired infection rates adjusted for potential differences in risk factors and comparisons with regional and/or state averages shall be developed and posted on the council's web site. The council may consult with consumer and patient advocates and representatives of reporting facilities for the purpose of ensuring that such summary table report format is easily understandable by the public, and clearly and accurately portrays comparative hospital performance in the prevention and control of hospital acquired infections.

Section 2. Subsection (h) of section 16L of Chapter 6A of the General Laws is hereby amended by inserting after the word "appropriate", in the second sentence, the following words:- " , including, but not limited to, hospital acquired infection information".

SECTION 3. Chapter 111 of the general laws, is hereby amended by inserting after section 205, the following new section:

Section 205A. Hospital acquired infection reporting.

Section 1. For the purposes of this section, "hospital acquired infection" shall mean any localized or systemic patient condition that: (a) resulted from the presence of an infectious agent or agents, or its toxin or toxins as determined by clinical examination or by laboratory testing; and (b) was not found to be present or incubating at the time of admission unless the infection was related to a previous admission to the same setting.

Section 2. (a) Each hospital shall maintain a program capable of identifying and tracking hospital acquired infections for the purpose of public reporting under this section and quality improvement. Such programs shall have the capacity to identify the following elements: the specific infectious agents or toxins and site of each infection; the clinical department or unit within the facility where the patient first became infected; and the patient's diagnoses and any relevant specific surgical, medical or diagnostic procedure performed during the current admission.

(b) No later than October 1, 2007, the department of public health shall promulgate regulations, guidelines, definitions, criteria, standards and coding for hospital identification, tracking and reporting of hospital acquired infections which shall be consistent with the recommendations of recognized centers of expertise in the identification and prevention of hospital acquired infections including, but not limited to the National Health Care Safety Network of the Centers for Disease Control and Prevention or its successor. The department shall consult with the Health Care Quality and Cost Council prior to such promulgation, and may solicit and consider public comment.

(c) Hospitals shall be initially required to identify, track and report hospital acquired infections that occur in critical care units to include surgical wound infections and central line related bloodstream infections.

(d) Subsequent to the initial requirements identified in paragraph (c) of this subdivision the department shall, in consultation with the Health Care Quality and Cost Council, annually review and make a determination whether to require the tracking and reporting of other types of hospital acquired infections (for example, ventilator - associated pneumonias) that occur in hospitals and may also require the reporting of other standard quality measures and outcomes.

Section 3. Each hospital shall regularly report to the department, the Health Care Quality and Cost Council, and the Betsy Lehman Center for Patient Safety and Medical Error Reduction, in accordance with the guidelines established in section (b) above, the hospital infection data it has collected. The department shall establish data collection and analytical methodologies that meet accepted standards for validity and reliability. In no case shall the frequency of reporting be required to be more frequently than once every six months, and reports shall be submitted not more than sixty days after the close of the reporting period.

Section 4. (a) Subject to paragraph (c) of this subsection, on or before May first of each year the commissioner shall submit a report to the governor, the joint committee on health care financing, and the House and Senate committees on ways and means, and the Health Care Quality and Cost Council, which shall simultaneously be published in its entirety on the council's web site, that includes, but is not limited to, hospital acquired infection rates adjusted for the potential differences in risk factors for each reporting hospital, an analysis of trends in the prevention and control of hospital acquired infection rates in hospitals across the state, regional and, if available, national comparisons for the purpose of comparing individual hospital performance, and a narrative describing lessons for safety and quality improvement that can be learned from leadership hospitals and programs.

(b) The commissioner shall consult with the Health Care Quality and Cost Council, and may consult with any technical advisors who have regionally or nationally acknowledged expertise in the prevention and control of hospital acquired infection and infectious disease, in order to develop the adjustment for potential differences in risk factors to be used for public reporting.

(c) (i) No later than January 1, 2008, the department shall establish a hospital acquired infection reporting system capable of receiving electronically transmitted reports from hospitals. Hospitals shall begin to submit such reports as directed by the commissioner but in no case later than July 1, 2008.

(ii) The first year of data submission under this section shall be considered the “pilot phase” of the statewide hospital acquired infection reporting system. The purpose of the pilot phase is to ensure, by various means, including any audit process referred to in subdivision seven of this section, the completeness and accuracy of hospital acquired infection reporting by hospitals. For the data reported during the pilot phase, hospital identifiers shall be encrypted by the department in any and all public databases and reports. The department shall provide each hospital with an encryption key for that hospital only to permit access to its own performance data for internal quality improvement purposes.

Information and records which are necessary to comply with the “pilot phase” of the statewide hospital acquired infection reporting system established pursuant to this section and which are necessary to the work product of medical peer review committees and agents of the department, including incident reports required to be furnished to the Board of Registration in Medicine or any information collected or compiled for the purpose of providing information for the development of the statewide hospital acquired infection reporting system shall be deemed to be proceedings, reports or records of a medical peer review committee for purposes of section two hundred and four of this chapter and may be so designated by the patient care assessment coordinator; provided, however, that such information and records so designated by the patient care assessment coordinator may be inspected, maintained and utilized by the Board of Registration in Medicine, including but not limited to its data repository and disciplinary unit. Such information and records inspected, maintained or utilized by the board of registration in medicine shall remain confidential, and not subject to subpoena, discovery or introduction into evidence, consistent with section two hundred and four; however, such records may not remain confidential if disclosed in an adjudicatory proceeding of the Board of Registration in Medicine, but the information and records shall be otherwise subject to the protections afforded by section two hundred and four. In no event, however, shall records of treatment maintained pursuant to section seventy of this chapter, or incident reports or records or information which are not necessary to comply with the development of the statewide hospital acquired infection reporting system pursuant to this section be deemed to be proceedings, reports or records of a medical peer review committee under this section; nor shall any person be prevented by the provisions of this section from testifying as to matters known by such person independent of the development of the statewide hospital acquired infection reporting system pursuant to this section.

(iii) No later than one hundred eighty days after the conclusion of the pilot phase, the department shall issue a report to hospitals assessing the overall accuracy of the data submitted in the pilot phase and provide guidance for improving the accuracy of hospital acquired infection reporting. The department shall also issue a report to the governor, the joint committee on health care financing, and the House and Senate committees on ways and means, assessing the overall completeness and accuracy of the data submitted by hospitals during the pilot phase and make recommendations for the improvement or modification of hospital acquired infection data reporting based on the pilot phase as well as share lessons learned in prevention of hospital acquired infections. No hospital identifiable data shall be included in the pilot phase report, but aggregate or otherwise de-identified data may be included.

(iv) After the pilot phase is completed, all data submitted under this section and compiled in the statewide hospital acquired infection database established herein and all public reports derived therefrom shall include hospital identifiers.

Section 5. To assure the accuracy of the self-reported hospital acquired infection data and to assure that public reporting fairly reflects what actually is occurring in each hospital, the department shall develop and implement an audit process.

Section 6. For the purpose of ensuring that hospitals have the resources needed for ongoing staff education and training in hospital acquired infection prevention and control, the department may make such grants to hospitals within amounts appropriated therefore.

Section 7. Individual patient identifying information reported to the department under this section shall be subject to the provisions of section 70 of chapter 111. Regulations under this section shall include standards to assure the protection of patient privacy in data collected and released under this section and standards for the publication and release of data reported under this section.

Section 8. Any licensed hospital in the Commonwealth, which does not comply with this section and the rules and regulation set forth by the department may have its license revoked or suspended by said department, be fined up to \$1,000 per day per violation, or both.”
The amendment was *rejected*.

Messrs. Moore and Tarr moved that the bill be amended by inserting, after Section____, the following Section:-

“SECTION ____ . Section 1. Subsection (e) of Section 16L of Chapter 6A of the General Laws is hereby amended by inserting the following subsection:—

(i) no later than October 1, 2007, the council shall promulgate regulations that create a list of “never events”, so-called. The council shall update the list annually, based upon guidelines developed by the National Quality Forum, and other patient safety

and medical quality experts. Reporting of each never event shall be included in the consumer website created by subsection (h) of this section. Initial publication of the never event occurrences on the consumer website shall occur no later than 1 year following the date of implementation of this section. The website shall identify both the never events and the facilities at which each occurred, but shall not include any other identifying information including but not limited to any of the health care professionals, facility employees, or patients involved.

(j) Notwithstanding any provisions in the General Laws to the contrary, no third party payer, including the Commonwealth, an insurer licensed or otherwise authorized to transact accident or health insurance organized under chapter 175, a nonprofit hospital service corporation organized under chapter 176A, a nonprofit medical service corporation organized under chapter 176B, a health maintenance organization organized under chapter 176G and an organization entering into a preferred provider arrangement under chapter 176I, may knowingly reimburse a health care professional or a health care facility for services that resulted in any of the adverse health care events listed above, and no health care professional or health care facility may bill the patient for such services.

SECTION 2. Section 51 of Chapter 111 of the General Laws is hereby amended by inserting the following subsection:- A hospital licensed under this chapter shall report each never event occurrence listed in regulations promulgated by authority of subsection (e)(i) of section 16E of Chapter 6A, to the Betsy Lehman Center for Patient Safety and Medical Error Reduction, the Department of Public Health, the Board of Registration in Medicine's Patient Care Assessment division, and the Health Care Quality and Cost Council, as soon as is reasonably and practically possible, but no later than 15 working days after discovery of the never event. Any licensed hospital in the Commonwealth, which does not comply with this section and the rules and regulation set forth by the department may have its license revoked or suspended by said department, be fined up to \$1,000 per day per violation, or both."

The amendment was *rejected*.

Messrs. Moore, Brewer, and Augustus, Ms. Chandler and Mr. Tarr moved that the bill be amended by inserting, after Section ____, the following new Section:-

"SECTION ____. Notwithstanding any other provision of general or special law, there is hereby established a special commission to prepare, plan, and oversee the investigation, design, and construction of a complete multi-phase, multi-year interior restoration and renovation of the 556,000 square foot State House complex and its art work; said restoration and renovation is to be conducted while the historic facilities remain fully occupied and open to visitors; and provided further that said commission shall consider the overall health of the building including, but not limited to, improved public and handicapped access, structural reinforcement, health and safety improvements, technological upgrades, and esthetic refurbishing of the building such as improvements to HVAC, electrical service, plumbing, installation of audio-visual and web-casting equipment in the House and Senate Chambers and committee hearing rooms, creation of additional space for hearing rooms, development of a visitors welcome center and gift shop, development of cafeteria/snack bar facilities. The commission, in cooperation with the trustees of the State Library, shall investigate the feasibility of relocating the facility to modernize and enhance services to the General Court, state employees, and the public. The commission, in cooperation with the Constitutional officers, shall investigate the feasibility of relocating executive branch functions and facilities.

Said commission shall consist of three members of the Senate, two of whom shall be appointed by the President of the Senate, and one who shall be appointed by the Minority Leader of the Senate; three members of the House of Representatives, two of whom shall be appointed by the Speaker of the House of Representatives, and one who shall be appointed by the Minority Leader of the House; the Secretary of Administration and Finance, or designee; the State Superintendent of Buildings, the Commissioner of the Division of Capital Assets Maintenance, or designee; the Secretary of the Commonwealth or his Designee; the Executive Director of the Massachusetts Historical Commission, or designee; and members appointed by the Governor, including but not limited to leading members of the architectural, engineering, and construction fields with expertise in restoration and preservation of eighteenth and nineteenth century historic buildings. Said commission shall prepare and submit a budget for its operation, including funds to retain consultants, and make such interim reports as may be necessary, including recommendations for financing, and shall make a final report to the House and Senate Committees on Ways and Means, the joint committee on Bonding, Capital Expenditures, and State Assets, and the joint committee on State Administration. The Governor, the President of the Senate, and the Speaker of the House shall be ex-officio members of the commission, and shall designate one of their appointees to serve as co-chair of the commission."

After remarks, the amendment was **adopted**.

Mr. Moore, Ms. Chandler, Ms. Jehlen, Messrs. Tarr and Mr. Brown moved that the bill be amended by inserting, after Section ____, the following Section:-

SECTION ____. Notwithstanding any rule, law or regulation to the contrary, the department of revenue is hereby authorized and directed to prepare a feasibility study, together with a draft of legislation amending chapters 64H and 64I of the general laws, and such other changes in general law as may be necessary to bring Massachusetts into full compliance with the streamlined sales and

use tax agreement, so-called, in furtherance of the provisions of section 82 of chapter 4 of the acts of 2003. The department shall file its report, together with any recommendations for legislation, with the joint committee on revenue and the House and Senate committees on Ways and Means not later than December 1, 2007. After remarks, the amendment was **adopted**.

Messrs. Joyce and Tarr moved that the bill be amended by inserting after SECTION ____, the following new Section:-

“SECTION ____. Chapter 40 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by adding the following section: -

3B) - The Town of Canton shall have the opportunity to lease the Ponkapoag Golf Course and control hours of operation, provided further, (1) a commitment to give the town of Canton community benefits equal to or greater than the amount that the contracting entity would pay in property taxes for the golf course if it were taxable commercial property and (2) that for the first five (5) years of any contract or lease, the contractor or lessee shall not raise any existing fees and charges for greens fees, golf cart and club rentals more than \$5 per year and for season passes more than 5% per year. Subsequent to year five of any contract or lease, if the contractor or lessee proposes to increase any fee, or charge, they shall submit a letter of request to DCR. In considering each request, DCR will consider all factors that DCR deems relevant, including, without limitation, the following:

1. Capital investments made by contractor or lessee to the Premises;
2. Greens fees and other fees and charges by other public golf courses within reasonable proximity of the Premises;
3. The length of time since the last fee increase, if any; and
4. Fees charged at other existing DCR golf courses, it being a goal of DCR to ensure consistency in fees charged at such facilities.

No increase shall be charged until approved, in writing, by DCR. DCR shall not unreasonably withhold, condition, or delay such approval.; and

In said section, by striking the section in its entirety and replacing it with:

Notwithstanding any other provisions of this section or any other general or special law to the contrary, it shall be a mandatory term of any request for proposals issued by the commissioner and of any contract entered into by the Commonwealth with any party regarding the subject matter of this section that any party which has entered into a contract pursuant to this section with the Commonwealth shall require, in order to maintain stable and productive labor relations and to avoid interruption of the operation of the golf course and to preserve the safety and environmental conditions of the course, that all employees currently working on the operation and maintenance of the course be offered employment by any party entering into a contract pursuant to this section, and that any such contract shall adopt all terms and conditions of employment provided by the last applicable labor agreement negotiated between the labor organization representing said employees and the employer who has most recently employed said employees prior to entering into any contract pursuant to this act; provided, however, that any party entering into such contract with the commonwealth pursuant to this section shall pay all of said employees not less than the sum of applicable wages paid to said employees by the previous employer. Any such party entering into such contract with the commonwealth shall negotiate a successor agreement with the last applicable labor organization representing said employees prior to the expiration of the existing contract. Such parties shall agree to meet their legal obligations with regard to any labor organization representing employees engaged in the operation and maintenance of the course. Notwithstanding any special or general law to the contrary, any party entering into such contract with the Commonwealth shall provide all employees working on the operation and maintenance of the course with all of the rights and benefits including retirement and pension benefits, seniority rights, compensation and salary grade, accrued rights to holidays, sick leave, vacation and health insurance benefits, union representation or certified collective bargaining unit as certified by the state labor relations commission, and local union representation or affiliation that are at least equal to said employees' benefits provided by the Commonwealth. Notwithstanding any other provisions of this act any proposal not complying with the above terms shall be disqualified from consideration. Upon the execution of any agreements authorized by this section, the department of conservation and recreation shall reassign or relocate those employees who do not accept employment with the lessor to positions within the department at the same wages and benefits, subject to applicable collective bargaining agreements.”

The amendment was *rejected*.

Mr. Montigny moved that the bill be amended by inserting, after Section ____, the following new Section:-

SECTION 1. Chapter 112 of the general laws, as appearing in the 2004 Official Edition, is hereby amended by inserting at the end the following new section:-

“Section 227. The department of public health, in consultation with the board of registration of pharmacy, shall promulgate regulations requiring the licensing of all pharmaceutical representatives. As a prerequisite to such licensing, pharmaceutical representatives shall complete such training as may be deemed appropriate by the department. As a prerequisite to the renewal of such license, pharmaceutical representatives shall complete continuing education as may be deemed appropriate by the

department. The fee for such license shall be \$500 per year. Revenue generated from this fee shall be divided in equal shares, 50 per cent to the office of attorney general, line item 0810-0000, for the investigation and prosecution of Medicaid fraud and other fraudulent drug pricing schemes disadvantaging the commonwealth or its citizens and 50 per cent to the board of registration in pharmacy, line item 4510-0722, to assist the board in implementing patient safety and medical error reduction programs.”

Section 1 of chapter 268B of the general laws, as appearing in the 2004 Official Edition, is hereby amended by inserting in paragraph “(g)”, line 39, after the word “entertainment”, the following words:- “meals, travel”; and by inserting after paragraph “(m)” the following new paragraphs:-

“(n) “pharmaceutical manufacturer agent”, a pharmaceutical marketer or any other person who for compensation or reward does any act to promote, oppose or influence the prescribing of a particular prescription drug or medical device or category of prescription drugs or medical devices. The term shall not include a licensed pharmacist, licensed physician or any other licensed healthcare professional with authority to prescribe prescription drugs who is acting within the ordinary scope of the practice for which he is licensed;

“(o) “pharmaceutical marketer”, a person who, while employed by or under contract to represent a pharmaceutical manufacturing company, engages in pharmaceutical detailing, promotional activities or other marketing of prescription drugs in this state to any physician, hospital, nursing home, pharmacist, health benefit plan administrator or any other person authorized to prescribe, dispense or purchase prescription drugs. The term does not include a wholesale drug distributor licensed under section 37A of chapter 112, a representative of such a distributor who promotes or otherwise markets the services of the wholesale drug distributor in connection with a prescription drug, or a retail pharmacist registered under section 37 of chapter 112 if such person is not engaging in such practices under contract with a manufacturing company;”.

Section 1 of said chapter 268B is hereby further amended by deleting “(o)” and inserting in place thereof “(p)”; and by deleting “(p)” and inserting in place thereof “(q)”; and by deleting “(q)” and inserting in place thereof “(r)”; and by deleting “(r)” and inserting in place thereof “(s)”; and by deleting “(s)” and inserting in place thereof “(t)”.

Said chapter 268B is hereby amended by inserting after the words “Section 6” the following letter “(a)”; and by inserting at the end of section 6, after line 6, the following paragraph:-

“(b) No pharmaceutical manufacturer agent shall knowingly and willfully offer or give to a public official, and no public official shall knowingly or willfully solicit or accept from any pharmaceutical manufacturer agent, gifts of any value. A person who violates this section shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 2 years, or both.”

The general laws are hereby amended by adding after chapter 268B the following new chapter:-

Chapter 268C. *Physician and Pharmaceutical Manufacturer Conduct*

Section 1. As used in this chapter, the following words shall have the following meanings:-

"Gift", a payment, entertainment, meals, travel, honorarium, subscription, advance, services or anything of value, unless consideration of equal or greater value is received. "Gift" shall not include anything of value received by inheritance, a gift received from a member of the physician's immediate family or from a relative within the third degree of consanguinity of the physician or of the physician's spouse or from the spouse of any such relative, or prescription drugs provided to a physician solely and exclusively for use by the physician's patients.

"Immediate family", a spouse and any dependent children residing in the reporting person's household.

"Medical device", an instrument, apparatus, implement, machine, contrivance, implant, in vitro reagent, or other similar or related article, including any component, part, or accessory, which is:

- (1) recognized in the official National Formulary, or the United States Pharmacopeia, or any supplement to them,
- (2) intended for use in the diagnosis of disease or other conditions, or in the cure, mitigation, treatment, or prevention of disease, in man or other animals, or
- (3) intended to affect the structure or any function of the body of man or other animals, and which does not achieve its primary intended purposes through chemical action within or on the body of man or other animals and which is not dependent upon being metabolized for the achievement of its primary intended purposes.

"Person", a business, individual, corporation, union, association, firm, partnership, committee, or other organization or group of persons.

"Pharmaceutical marketer", a person who, while employed by or under contract to represent a pharmaceutical manufacturing company, engages in pharmaceutical detailing, promotional activities, or other marketing of prescription drugs in this state to any

physician, hospital, nursing home, pharmacist, health benefit plan administrator, or any other person authorized to prescribe, dispense, or purchase prescription drugs. The term does not include a wholesale drug distributor licensed under section 36A of chapter 112, a representative of such a distributor who promotes or otherwise markets the services of the wholesale drug distributor in connection with a prescription drug, or a retail pharmacist registered under section 37 of chapter 112 if such person is not engaging in such practices under contract with a manufacturing company.

“Pharmaceutical manufacturing company”, any entity which is engaged in the production, preparation, propagation, compounding, conversion, or processing of prescription drugs, either directly or indirectly by extraction from substances of natural origin, or independently by means of chemical synthesis, or by a combination of extraction and chemical synthesis, or any entity engaged in the packaging, repackaging, labeling, relabeling, or distribution of prescription drugs. The term does not include a wholesale drug distributor licensed under section 36A of chapter 112 or a retail pharmacist registered under section 37 of chapter 112.

“Pharmaceutical manufacturer agent”, a pharmaceutical marketer or any other person who for compensation or reward does any act to promote, oppose or influence the prescribing of a particular prescription drug or medical device or category of prescription drugs or medical devices. The term shall not include a licensed pharmacist, licensed physician or any other licensed health care professional with authority to prescribe prescription drugs who is acting within the ordinary scope of the practice for which he is licensed.

“Physician”, a person licensed to practice medicine by the board of medicine pursuant to section 2 of chapter 112 who prescribes prescription drugs for any person, or the physician’s employees or agents.

“Prescription drugs”, any and all drugs upon which the manufacturer or distributor has placed or must, in compliance with federal law and regulations, place the following or a comparable warning: “Caution federal law prohibits dispensing without prescription.”

Section 2. No pharmaceutical manufacturer agent shall knowingly and willfully offer or give to a physician or a member of a physician’s immediate family or a physician’s employee or agent or a health care facility or employee or agent of a health care facility, and no physician or a member of a physician’s immediate family or a physician’s employee or agent or health care facility or employee or agent of a health care facility shall knowingly and willfully solicit or accept from any pharmaceutical manufacturer agent, gifts of any value.

Section 3. A person who violates this section shall be punished by a fine of not more than \$5,000 or by imprisonment for not more than 2 years, or both.”

After remarks, the amendment was *rejected*.

Mr. Timilty moved that the bill be amended by inserting, after Section _____, the following new Section: -

“SECTION _____. Section 3 (2) (g) of chapter 32 of the General Laws is hereby further amended, by inserting, in the paragraph entitled Group 4, after the words, “any police officer of the Massachusetts Transportation Authority”, the following words: - “any police officer of the University of Massachusetts Police Department.”.
The amendment was *rejected*.

Ms. Creem, Messrs. Moore and Timilty moved that the bill be amended by inserting at the end by adding the following new section:

“SECTION _____. (a) Section 6A of Chapter 40J of the General Laws as appearing in the 2004 Official Edition is hereby amended in line 16 by striking the words, “the director of the office of business and technology” and inserting in place thereof the words, “the undersecretary of business development”

(b) Said section 6A is further amended in line 19 by striking the words, “the house and senate committees on science and technology” and inserting in place thereof the following:- the joint committee on economic development and emerging technologies

(c) Said section 6A is further amended in line 42 by inserting, after the words, “purposes of the institute.” the following sentence:-

The institute shall be a resource for, and provide grants to, emerging scientific fields such as stem cell and other forms of biomedical research, that are not eligible for federal funding.

(d) Said section 6A is further amended in line 66 by striking the words “the house and senate committees on science and technology and ways and means” and inserting in place thereof the following:- the joint committee on economic development

and emerging technologies and the house and senate committees on ways and means.
The amendment was **adopted**.

Mr. Downing moved that the bill be amended in Section 64, line 13, by adding the following after “September 1, 2007”;
“provided further, that not less than \$750,000 shall be provided as a one-time grant to a teaching hospital located in central Berkshire county”.

The amendment was *rejected*.

Messrs. Downing and Augustus, Ms. Fargo and Ms. Chandler moved that the bill be amended by inserting after section 11 the following section:

Section 11A: “Section 67D of chapter 62C of the General Laws, as most recently amended by section 58 of chapter 123 of the acts of 2006, is hereby further amended by inserting after the words “or marine science technology”, each time it appears, the following words:- or renewable energy technology.

Said section 67D of said chapter 62C is hereby further amended by inserting after the definition of “Payment years”, as so appearing, the following definition:-

“Renewable energy technology company,” a business primarily engaged in the research, development, production or provision of renewable energy for the purpose of developing or providing products or processes for specific commercial or public purposes; provided, however, that “Renewable energy technology company” shall include contract manufacturers engaged in the production of such products for a renewable energy technology company.

Said section 67D of said chapter 62C is hereby further amended by striking out the definition of “Qualified services”, as amended by section 58 of chapter 123 of the acts of 2006” and inserting in place thereof the following definition:-

“Qualified services”, direct production manufacturing services performed by an employee of a biotechnology or medical device manufacturing or marine science technology or renewable energy technology company during a calendar year that consist primarily of at least 1 of the following services: medicinal and botanical manufacturing; pharmaceutical and preparation manufacturing; in vitro diagnostic substance manufacturing, biological product, except diagnostic, manufacturing, surgical and medical instrument manufacturing; electromedical and electrotherapeutic apparatus manufacturing; surgical appliance and supplies manufacturing; and irradiation apparatus manufacturing as referenced in the federal NAICS Codes for biotechnology manufacturing, numbers 325411-325414, 339112, 314510, 339113 and 334517, respectively, or direct manufacturing or professional services performed by an employee of a marine science technology company during a calendar year that consists of research, exploration, operations, monitoring or defense in a marine setting or direct manufacturing or professional services performed by an employee of a renewable energy technology company during a calendar year that consist of research, development, production or provision for renewable energy.”

The amendment was *rejected*.

Messrs. Barrios and Brown moved that the bill be amended by inserting, after Section ____, the following new section: -

SECTION ____ .Section 1A of Chapter 75C, as appearing in the 2004 Official Edition, is hereby amended in line 23 by adding the following sentence: “The State Auditor may adopt regulations, issue guidelines and prescribe forms to carry out the provisions of this section and section four.”

Section 2. Section 4 of Chapter 75C, as appearing in the 2004 Official Edition, is hereby amended in line 6 by striking the “and not more than one hundred thousand dollars”

Section 3. Section 4 of Chapter 75C, as appearing in the 2004 Official Edition, is hereby amended in Line 56 by striking the words “doing business in the commonwealth” and inserting in its place the following:- “legally authorized to do business in the commonwealth”

Section 4 Section 3 of Chapter 75D, as appearing in the 2004 Official Edition, is hereby amended in Line 24 by adding the following sentence: “The State Auditor may adopt regulations, issue guidelines and prescribe forms to carry out the provisions of this section and section fourteen.”

Section 5. Section 14 of Chapter 75D, as appearing in the 2004 Official Edition, is hereby amended in Line 11 by striking the words “and not more than one hundred thousand dollars”

Section 6. Section 14 of Chapter 75D, as appearing in the 2004 Official Edition, is hereby amended in Line 61 by striking the words “doing business in the commonwealth” and inserting in its place the following; “legally authorized to do business in the

commonwealth.”

Section 7. Section 20A of Chapter 93, as appearing in the 2004 Official Edition, is hereby amended in line 23 by adding the following sentence:- “The State Auditor may adopt regulations, issue guidelines and prescribe forms to carry out the provisions of this section and section twenty-one F.”

Section 8. Section 21F of Chapter 93, as appearing in the 2004 Official Edition, is hereby amended in line 6 by striking the words “and not more than one hundred thousand dollars”

Section 9. Section 21F of Chapter 93, as appearing in the 2004 Official Edition, is hereby amended in Line 56 by striking the words “doing business in the commonwealth” and inserting in its place the following; “legally authorized to do business in the commonwealth.”

After remarks, the amendment was **adopted**.

Ms. Walsh moved that the bill be amended by inserting, after Section____, the following new Section:-

“SECTION ____ Chapter 29 of the General Laws, as so appearing, is hereby amended by inserting after section 2XX the following section: -

Section 2AAA. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Substance Abuse Health Protection Fund. Amounts credited to said fund shall be expended, subject to appropriation, to provide funding, or supplement existing levels of funding, for the following purposes:

- (a) For a comprehensive substance abuse treatment program, to be administered by the department of public health, for the treatment of individuals who are dependent on or addicted to alcohol or controlled substances, or both alcohol and controlled substances, and who lack public or private health insurance that would provide coverage for such treatment;
- (b) To fund such substance abuse treatment programs that are administered by the office of community corrections, the department of corrections, the department of social services, the department of youth services, and the office of the commissioner of probation;
- (c) For comprehensive school health education programs, to be administered by the department of education, provided that such programs shall incorporate information relating to the hazards of alcohol and controlled substances use; and
- (d) For workplace-based and community substance abuse prevention and drinking cessation programs, for substance abuse-related public service advertising and for drug and alcohol education programs, to be administered by the department of public health.

SECTION 2. Notwithstanding clause (g) of section 6 of chapter 64H or any other general or special law to the contrary, there shall be a sales tax of 5 per cent on each vendors gross receipts on each sale at retail of alcoholic beverages for off-premises consumption. Notwithstanding any general or special law to the contrary, the proceeds of said tax together with any penalties, forfeitures, interest, costs of suits and fines collected in connection therewith, all as determined by the commissioner of revenue according to his best information and belief shall be credited to the Substance Abuse Health Protection Fund. Any appropriation, grant, gift, or other contribution explicitly made to said fund at any time, and any income derived from the investment of amounts credited to said fund shall also be credited to the Substance Abuse Protection Fund.

After remarks, the amendment was *rejected*.

Messrs. Augustus and Tarr moved that the bill be amended by inserting, after Section 84, the following new Section:-

“SECTION 84A. The first paragraph of section 57 of chapter 59 of the General Laws, as amended by section 19 of chapter 122 of the Acts of 2006, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:- A first actual real estate tax bill sent out for fiscal year 2008 or any subsequent year pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rate, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days; provided however, that for purposes of this sentence, such delinquencies shall not include those relating to fire service, electric, water or sewer use in any city or town served by more than one independent municipal or district fire, electric, water, sewer, or joint water and sewer district or in any city or town served by an independent municipal or district fire, electric, water, sewer, or Joint water and sewer district that is not principally domiciled in that city or town.

SECTION 84B. The seventh paragraph of section 57C of chapter 59 of the General Laws, as amended by section 19 of chapter 122 of the Acts of 2006, is hereby further amended by striking out the second sentence and inserting in place thereof the following sentence:- A first actual real estate tax bill sent out for fiscal year 2008 or any subsequent year pursuant to this section shall contain a statement that there exists a delinquency if any tax, betterment assessment or apportionment thereof, water rate, annual sewer use, or other charge which may constitute a lien is overdue more than 90 days; provided however, that for purposes

of this sentence, such delinquencies shall not include those relating to fire service, electric, water or sewer use in any city or town served by more than one independent municipal or district fire, electric, water, sewer, or joint water and sewer district or in any city or town served by an independent municipal or district fire, electric, water, sewer, or joint water and sewer district that is not principally domiciled in that city or town.”

The amendment was *rejected*.

Messrs. Augustus, Joyce, Tarr, Hedlund and Timilty moved that the bill be amended by inserting, after Section 84, the following new section:-

“Section 84A. Section 44 of chapter 85 of the acts of 1994, as amended by section 50 of Chapter 15 of the Acts of 1996, and as further amended by section 19 of Chapter 23 of the Acts of 2002, is hereby further amended by inserting after the words “Mount Greylock state reservation” the following words:- , Wilbur Farmhouse and Barn at Borderland state park, Whitehead House at Willowdale state forest, Kerighan House at Bradley Palmer state park, Police Station, Dormitory, Laundry and Waiting Room structures at Nantasket Beach reservation, Caretaker’s Cottage and the Barn at Brookwood Farm in the Blue Hills reservation, 1 Woodland Road in the Middlesex Fells reservation, Print Shop at the Brook Farm Historic Site in West Roxbury, Carriage House at Havey Beach in West Roxbury, CCC Camp in Upton state forest, Teahouse and Boathouse in Maudsley state park.”

After remarks, the amendment was **adopted**.

Mr. Brown, Ms. Spilka, Messrs. Joyce, Augustus, Ms. Creem and Messrs. Timilty and Tarr moved that the bill be amended by in Section 2, by inserting, after item 6005-0015 the following item:

“6005-0016

For a Pilot Program for the Massachusetts Bay Transit Authority Commuter Rail on the Franklin Line, Framingham/Worcester Line, and Providence/Stoughton Line to fund the installation of defibrillators on trains to be used in certain emergency situations.....\$30,000;”

After remarks, the amendment was *rejected*.

Messrs. Tarr, Brown, Hedlund, Knapik and Tisei moved that the bill be amended by inserting, after Section 83, the following new Section:-

SECTION 84. (a) The Secretary of Elder Affairs and the Commissioner of the Department of Housing and Community Development are hereby authorized and directed, in conjunction with other agencies of the Commonwealth as necessary, to develop a state-wide plan for the development and maintenance of assisted living facilities, so-called. Said plan shall include and assessment of existing and projected need for such facilities across all income levels, available capacity of existing facilities for tenants at all income levels, and projected development of additional capacity in the next twenty-five years. Said plan shall also assess any and all means being utilized for payment by individuals for residence in assisted living facilities and the projected availability of such means in the future for individuals at all income levels from public and private sources, including but not limited to, Medicare, Medicaid and private insurers.

(b) Said plan, based on said assessments, shall included strategies to meet the needs identified in such assessments and to facilitate the availability of assisted living facilities for individuals of all income levels throughout the Commonwealth, including the development and maintenance of capital infrastructure, program services, and public and private sources of financing assisted living residence for the citizens of the Commonwealth.

(c) Subject to appropriation, not less than two hundred thousand dollars shall be expended for the purposes of this Act. Said plan prescribed herein, together with any recommendations for legislation necessary to the plan, shall be filed with the clerks of the Senate and House of Representatives not later than two years following the passage of this Act.

The amendment was *rejected*.

Messrs. Tarr, Timilty and Brown moved that the bill be amended in Section 11 by striking out subsection (c) and adding the following new section in place thereof:-

“(c) if the amount remaining after the designations in clause (a) is at least \$125,000,000, the entire remaining amount shall be disposed of as follows:

\$25,000,000 shall be transferred to the Massachusetts Life Science Investment Fund;

\$25,000,000 shall be transferred to the Emerging Technology Fund;

\$25,000,000 shall be transferred to the Affordable Housing Trust Fund;

\$12,500,000 shall be transferred to the Smart Growth Housing Trust Fund;

\$10,000,000 shall be transferred to the Chapter 70 Equalization Fund; and

all other remaining amounts shall be transferred to the Commonwealth Stabilization Fund”; and further, by inserting, after Section 83, the following new Section:-

“Section 84. There shall be established and set up on the books of the Commonwealth the Chapter 70 Equalization Fund, to which shall be credited any amounts arising from subsection (c)(v) of Section 11 of this Act, together with any additional amounts which may be from time to time appropriated to the fund by any general or special act.

The purpose of said fund shall be to supplement the amounts provided to municipalities and school districts pursuant to Chapter 70 of the General Laws so as to ensure that the total amounts received shall be equal to the amount received in Fiscal Year 2002 or Fiscal Year 2003, whichever is greater.

The amount contained in said fund shall be available for appropriation for said purpose, provided that, in the event the total amount contained in the fund shall be insufficient to meet that purpose, then any available funds in the fund shall be appropriated for each eligible municipality or school district on a pro-rated basis according to the remaining deficiency between what it would otherwise receive in Chapter 70 funding, so-called, and what it received in Fiscal Year 2002 or Fiscal Year 2003, whichever amount is greater.

The fund established herein shall be terminated, and any remaining amounts contained in it returned to the Commonwealth Stabilization Fund, not later than five years following the passage of this Act unless otherwise modified, terminated or extended. After remarks, the amendment was *rejected*.

Messrs. Tarr, Brown, Knapik, Hedlund, Timilty and Tisei moved that the bill be amended by inserting, after Section 83, the following new Section:-

SECTION 84. Notwithstanding any general or special law to the contrary, the Department of Education is hereby authorized and directed to study the inequities resulting from the past and current applications of the educational funding methodology contained in Chapter 70 of the general laws as established in the Education Reform Act of 1993 and subsequently modified from time to time.

Said study shall include but not be limited to a) inequities between communities arising from the utilization of local educational authority spending prior to 1993 as a factor in determining a community’s ability to pay for education in subsequent years, b) inequities caused by an over-reliance on the property value in a community in calculating a community’s ability to pay for education, and c) inequities produced by other elements involved in measuring the ability to pay for education or the accurate cost of education in a particular community.

The results of said study, together with any necessary legislative recommendations to eliminate inequities in state educational funding for local school districts, shall be filed with the clerks of the House and Senate not later than February 15, 2008. The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended by inserting at the end thereof by inserting the following section:-

“SECTION ___ In MGL Chapter 221, Section 5, after the word Hampden, striking the number 10 and inserting in place thereof the number 12”

After remarks, the amendment was **adopted**.

Messrs. Tarr, Baddour, Brown, Hedlund, Knapik and Tisei moved that the bill be amended by inserting, after Section 83, the following new Section:-

SECTION 84.

1. Definitions – For the purposes of this section, the terms below shall be defined as follows:
 1. Entity – whether for-profit or not for profit,
 2. a corporation
 3. an association
 4. a partnership
 5. a limited liability corporation
 6. a limited liability partnership
 7. a sole proprietorship
 8. any other legal business entity
 9. a political subdivision of the Commonwealth

provided that an employee of the Commonwealth or an individual recipient of assistance shall not be considered an entity.

1. State expenditure – an expenditure of state funds including grants, subgrants, loans, awards, cooperative agreements, financial assistance, contracts, subcontracts, purchase order, task orders and delivery orders, and excluding transactions below \$25,000.

2. Searchable website – a website which allows the public to:
 2. Search and aggregate state expenditures by any item identified in the definition of website contained herein
 3. Ascertain through a single search the total amount of state funding awarded to an entity by fiscal year, and
 4. Download information, including the results of searches.
 1. Website – a searchable website which includes for each state expenditure:
 2. The name of the receiving entity
 3. The amount of the expenditure
 4. Information describing the expenditure such as transaction type, funding agency or program, and title descriptive of the purpose of the expenditure
 5. The location of the entity receiving the expenditure and the primary location of performance pursuant to the expenditure, including the city, state, country and legislative district
 6. A unique identifier of the entity receiving the award and of any parent entity of the recipient
 7. Any other relevant information specified by the Operational Services Division.
 8. The Secretary of Administration and Finance, the Comptroller, the Treasurer and the Operational Services Division are hereby authorized and directed to develop a single searchable website, accessible by the public without cost, to enable the public to research and examine state expenditures as defined herein. Said website shall be designed so as to maximize utility, minimize cost and promote accessibility of information, and shall build upon resources currently existing, including, but not limited to, the “EASI” website, so-called, administered by the Executive Office of Administration and Finance, and the Comm-Pass system, so-called, administered by the Operational Services Division of the Executive Office of Administration and Finance.

In developing said website, the Secretary shall seek to obtain the use of coding and other information management infrastructure developed by the federal government pursuant to the “Federal Funding Accountability and Transparency Act of 2006”.

Said website shall seek to provide information for Fiscal Year 2008 and subsequent years.

A plan for the development and implementation of said website, together with any estimates for funding required and other legislative recommendations, shall be filed with the clerks of the House and Senate not later than November 31, 2007. After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at five minutes before one o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 5 - nays 31) **[Yeas and Nays No. 23]**:

YEAS.

Brown, Scott P.	Tarr, Bruce E.
Hedlund, Robert L.	Tisei, Richard R. — 5.
Knapik, Michael R.	

NAYS.

Antonioni, Robert A.	McGee, Thomas M.
Augustus, Edward M., Jr.	Menard, Joan M.
Baddour, Steven A.	Montigny, Mark C.
Barrios, Jarrett T.	Moore, Richard T.
Berry, Frederick E.	Morrissey, Michael W.
Brewer, Stephen M.	O’Leary, Robert A.
Buoniconiti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Timilty, James E.
Fargo, Susan C.	Tolman, Steven A.
Hart, John A., Jr.	Tucker, Susan C.
Havern, Robert A.	Walsh, Marian
Jehlen, Patricia D.	Wilkerson, Dianne — 31.

Joyce, Brian A.

ABSENT OR NOT VOTING.

Creedon, Robert S., Jr. Rosenberg, Stanley C.
— 2.

The yeas and nays having been completed at one minute before one o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, Brown and Timilty moved that the bill be amended by inserting, after Section 83, the following new Section:-
“SECTION 84. The Secretary of Administration and finance is hereby authorized and directed to seek any and all available federal financial assistance for the purchase, deployment, and installation of emergency generators by municipalities and other political subdivisions of the commonwealth.”

The amendment was **adopted**.

Messrs. Brown, Montigny and Tarr moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION _____. Notwithstanding any general or special law to the contrary, a commission shall be established to study current compensation practices from the state pension system for retirees from the state’s higher education system. The goal of said commission shall be to review the state pension system’s compensation package for employees from the state’s higher education system, including but not limited to: housing and transportation allowances, and annuities. The commission shall examine the prospect of capping retirement allowances and to establish a standard for the definition of compensation, for the purposes of calculation of pension payments, that is fixed to salary. The commission shall issue a full report to the legislature with recommendations for legislation to prevent overcompensation. The commission will consist of the Treasurer and Receiver General of the Commonwealth, or his designee, the Commissioner of Higher Education, or his designee, the Executive Director of the Pension Reserves Investment Management Board, or his designee, three members of the House of Representatives that are chosen by the Speaker, one of which a member of the minority party, three members of the Senate, chosen by the Senate President, one of which is a member of the minority party, the Secretary of Administration and Finance, or his designee and one member chosen by the Governor. Said commission shall submit said report back the Legislature with findings and recommendations for legislation on or before December 31, 2008.”

After debate, the amendment was *rejected*.

Mr. Morrissey moved that the bill be amended by adding at the end thereof the following new section:-

SECTION __. Section 91 of Chapter 32 of the General Laws, as so appearing, is hereby amended by striking in lines 14 and 15 the words “at a polling place at a primary or election” and inserting in place thereof the words:- “relating to a state or municipal election”.

After remarks, the amendment was **adopted**.

Messrs. Tarr, Tisei, Knapik, Hedlund, Brown, McGee, Downing, O’Leary and Timilty, moved that the bill be amended, in Section 2, in item 7061-0011, by striking out the figure “\$3,500,000” and inserting in place thereof the following figure:- “\$10,000,000”.

After remarks, the amendment was *rejected*.

Messrs. Tarr, Tisei, Knapik, Hedlund, Brown, McGee, Downing, O’Leary and Timilty, moved that the bill be amended, in Section 2, in item 7061-0011, by striking out the figure “\$3,500,000” and inserting in place thereof the following figure:- “\$7,500,000”.

The amendment was *rejected*.

Messrs. Tarr, Brown, Hedlund, Tisei and Knapik moved that the bill be amended by inserting, after Section 83, the following new Section: -

“Section 84. (a) Methodology - Notwithstanding any general or special law to the contrary, the Secretary of Health and Human Services is hereby authorized and directed to, in consultation with the University of Massachusetts, change the methodology by which the Commonwealth seeks reimbursement from the federal Medicaid program for students educated pursuant to Chapter 71B of the General Laws from the current “per diem” format, so-called, to a “fee-for-service” format, so-called.

(b) Certification of Increased Reimbursement – Not later than thirty days following the initial receipt of funds pursuant to the “fee-for-service” methodology and in periods of not more than ninety days thereafter, the Secretary shall certify the amount by which reimbursement received using this methodology exceeds the amount which would have otherwise been received, taking into account inflation and any other relevant factors. Such excess amount shall be deposited into the Special Education

Assistance Fund established herein.

(c) There shall be established and set up on the books of the Commonwealth the Special Education Assistance Fund, into which shall be deposited sums resulting from federal Medicaid reimbursement pursuant to subsection (b) of this section.

Not less than sixty percent of the total amount in said fund shall be appropriated annually for the purposes of assisting municipalities and regional school districts with the cost of transportation of students provided pursuant to Chapter 71B of the General Laws. Said appropriation shall be made in a form designed to ensure equity among students and local educational authorities by utilizing a methodology based on a uniform percentage of eligible transportation costs to be compensated.

The remainder of said fund shall be available for appropriation in the form of grants of assistance to private institutions providing educational services pursuant to Chapter 766 of the Acts of 1972 and its implementing regulations.

(d) The Secretary of Health and Human Services, the Secretary of Administration and finance and the Commissioner of the Department of Education, in consultation with the University of Massachusetts, shall develop a system of acquiring from municipalities and regional school districts the information necessary to utilize a fee-for-service method of reimbursement from the federal Medicaid system following the passage of this act and prior to a request for a change in reimbursement methodology to the federal government.

Said system shall be designed to maximize efficiency and minimize the cost and burden of compliance for municipalities and regional school districts.

After remarks, the amendment was *rejected*.

Messrs. Tarr and Brown moved that the bill be amended by inserting, after Section 83, the following new Section: -

“Section 84. Section 2Z of Chapter 29 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by adding after the word project in line 21 the following: - ‘And any project in which construction has been initiated and for which completion has been scheduled in Fiscal Year 2005 or thereafter in which the total cost is greater than \$8,000 per capita on a per resident basis as determined by the most recent United States census or any sewer system that experiences extraordinary rate increases due to a mandate pursuant to environmental laws and regulations.’”

After remarks, the amendment was *rejected*.

Messrs. Tarr, Brown, Tisei, Hedlund and Knapik moved that the bill be amended by inserting, after Section 83, the following new Section:-

“SECTION 84. Section 2H of Chapter 29 of the General Laws is hereby amended by inserting at the end thereof the following new paragraph: ‘In the event that the Legislature suspends or cancels an otherwise required annual payment to the Stabilization Fund, the payment must be transferred to said Fund within five years of said suspension or cancellation. Said transfer shall be in addition to any future required annual payment’”.

The amendment was *rejected*.

Messrs. Tarr, Hedlund and Montigny moved that the bill be amended by inserting, after Section 83, the following new Section: -

SECTION 84. (a) Section 2A of Chapter 28 of the Acts of 1996 is hereby repealed.

(b) Section 2 of Chapter 28 of the Acts of 1996, is hereby amended by striking out, in item 2000-6966, the figure “\$65,000,000” and inserting in place thereof the following figure:- “\$150,000,000”.

(c) Section 3 of Chapter 28 of the Acts of 1996 is hereby amended by striking out, in line 4 of the first paragraph, the words “one hundred eighty-three million eight hundred and fifty thousand dollars” and replacing in place thereof the following:- “two hundred and sixty-eight million eight hundred and fifty thousand dollars”.

(d) Sections 5 and 6 of Chapter 28 of the Acts of 1996 are hereby repealed.

The amendment was *rejected*.

Messrs. Brown and Tarr moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION _____. Chapter 149 of the General Laws as appearing in the 2002 Official Edition, is amended by inserting at the end of Section 52C. the following new section: -

SECTION 52D. (A) Unless otherwise provided by law, an employer, or an employer’s designee, who discloses information about

a current or former employee to a prospective employer of the employee shall be absolutely immune from civil liability if the disclosed information includes any or all of the following: (1) date of employment; (2) pay level; (3) job description and duties; and (4) wage history. An employer who responds in writing to a written request concerning a former employee from a prospective employer of that employee shall be absolutely immune from civil liability if the disclosed information includes either or both of the following: (1) written employee evaluations which were conducted prior to the employee's separation from the employer; and (2) whether the employee was voluntarily or involuntarily released from service and the reasons for the separation.

(B) This section shall apply to causes of action accruing on and after the effective date of this act.”

After remarks, the amendment was *rejected*.

Messrs. Tarr, Tisei, Brown, Hedlund and Knapik moved that the bill be amended by inserting, after Section 83, the following new Section:-

“Section 84. Section 2H of Chapter 29 of the General Laws is hereby amended by adding the following paragraph at the end thereof:- ‘Any withdrawal from the Stabilization Fund must be repaid to said Fund within five fiscal years of the withdrawal; provided further, that a repayment schedule shall be in place within three months of any such withdrawal.’”

The amendment was *rejected*.

Messrs. Tarr, Hart, O’Leary, Brown, Ms. Spilka and Mr. Moore, moved that the bill be amended by inserting, after Section 83, the following new Section: -

“Section 84. Notwithstanding any other general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer \$4,000,000 from the General Fund to the Massachusetts Science, Technology, Engineering and Mathematics Grant Fund established pursuant to Section 2MMM of Chapter 29 of the General Laws.”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended in subsection (c)(ii) of Section 11 by adding the following words: “provided further, that not less than \$4,000,000 be transferred to the Massachusetts Science, Technology, Engineering and Mathematics Grant Fund established pursuant to Section 2MMM of Chapter 29 of the General Laws”.

The amendment was *rejected*.

Messrs. Augustus, Moore, Brewer, Antonioni, Ms. Resor, Ms. Chandler, and Mr. Brown moved that the bill be amended , in Section 65, by striking out the wording and inserting in place thereof the following wording:-

“Notwithstanding any general or special law to the contrary, the comptroller shall, in consultation with the office of the state treasurer, the executive office of administration and finance, and the executive office of health and human services, develop a schedule and make a series of transfers not to exceed \$346,000,000 from the General Fund to the MassHealth provider payment account in the Medical Assistance Trust Fund established pursuant to section 2QQQ of chapter 29 of the General Laws; provided that, the Comptroller has determined that General Fund revenues are sufficient to accommodate said schedule of transfers. Any increase in payment made from said trust totaling an amount greater than \$251,000,000 in fiscal year 2008 shall be made only after the secretary of the executive office of health and human services certifies that any said increase in payments from said trust shall not exceed the negotiated limit for section 1115 waiver spending. The secretary of health and human services shall notify, in writing, the house and senate committees on ways and means and the joint committee on healthcare financing of said certification within 15 days of such certification.”

After remarks, the amendment was **adopted**.

Messrs. Montigny, Barrios, Tisei, Tarr, and Ms. Creem moved that the bill be amended by inserting after Section ____, the following new Section:-

“SECTION ____. Chapter 175 of the acts of 2005, as amended by Section 86 of Chapter 139 of the Acts of 2006, is hereby amended by striking sections 7A and 7B and inserting in place thereof the following 4 sections:-

Section 7A. Notwithstanding any general or special law to the contrary, the subsidized catastrophic prescription drug insurance program established in section 39 of chapter 19A of the General Laws shall provide coverage for a 1-time supply of prescribed medications in the amount prescribed, up to a 30 day supply, between July 1, 2007 and June 30, 2008, to enrollees who are also eligible for Medicare prescription drug coverage. After an enrollee exhausts the availability of the 1-time 30-day supply of a medication under this section the program shall provide coverage, free of charge, for a 1-time, 72-hour supply of the medication. Both the 30-day supply and the 72-hour supply shall be available in all instances in which the pharmacist cannot bill a Medicare prescription drug plan at the time the prescription is presented. Any co-pay or deductible that would have been charged to the enrollee under section 39 of chapter 19A shall apply to the 1-time 30 day supply.

Section 7B. Notwithstanding any general or special law to the contrary, the secretary of health and human services, in

consultation with the director of Medicaid, shall authorize MassHealth payment for a 1-time supply of prescribed medications in the amount prescribed, up to a 30 day supply, between July 1, 2007 and June 30, 2008, to beneficiaries under chapter 118E of the General Laws who are also eligible for Medicare prescription drug coverage. After a beneficiary exhausts the availability of the 1-time 30-day supply of a medication under this section MassHealth shall provide coverage, free of charge, for a 1-time, 72-hour supply of the medication. Both the 30-day supply and the 72-hour supply shall be available in all instances in which the pharmacist cannot bill a Medicare prescription drug plan at the time the prescription is presented. Any co-pay or deductible that would have been charged to the beneficiary under MassHealth shall apply to the 1-time 30 day supply.

Section 7C. Notwithstanding section 7D or any general or special law to the contrary, between January 1, 2007 and June 30, 2008, in the event that the Medicare prescription drug plan covers the prescribed medication at the time the prescription is presented, but charges a co-pay or deductible that exceeds the amount federal Medicare law permits the plan to charge a non-institutionalized full benefit dual eligible member with income less than or equal to 100% of the federal poverty line, MassHealth shall pay the amount of such excess and the beneficiary shall pay the balance.

Section 7D. Notwithstanding any general or special law to the contrary, in the event that the Medicare prescription drug plan covers the prescribed medication at the time the prescription is presented, but charges a co-pay or deductible to a MassHealth member whose MassHealth co-payment would be zero, MassHealth shall pay the entire amount. In the event that the Medicare prescription drug plan covers the prescribed medication at the time the prescription is presented, but charges a co-pay or deductible in excess of what would have been charged to the beneficiary under MassHealth, MassHealth shall pay the excess amount and the beneficiary shall pay what would be payable under MassHealth. After remarks, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund, and Brown moved that the bill be amended by inserting, after Section _____, the following new Section:-

“SECTION _____. Notwithstanding any general or special law to the contrary, the commissioner of revenue shall establish a tax amnesty program during which all penalties that could be assessed by the commissioner for the failure of the taxpayer: (i) to timely file any proper return for any tax types and for any tax periods; (ii) to file proper returns which report the full amount of the taxpayer's liability for any tax types and for any tax periods; (iii) to timely pay any tax liability; or (iv) to pay the proper amount of any required estimated payment toward a tax liability shall be waived without the need for any showing by the taxpayer of reasonable cause or the absence of willful neglect, if the taxpayer, prior to the expiration of the amnesty period, voluntarily files proper returns for all tax types for all periods for which the taxpayer has or had a filing obligation and pays, or at the commissioner's discretion provides security for, the full amount of tax shown on the taxpayer's returns or upon the commissioner's assessments, together with all interest due thereon. The amnesty program shall be established for a period of 2 consecutive months, commencing on October 1, 2007, and expiring on December 3, 2007.

The commissioner's authority to waive penalties during the amnesty period shall not apply to any taxpayer who, before the start date of the amnesty program selected by the commissioner, is or has been the subject of a tax related criminal investigation or prosecution. The amnesty program shall not apply to a tax liability of any tax type for a period commencing on or after January 1, 2006 and shall not authorize the waiver of any interest or amount treated as interest. The commissioner may offer amnesty to those taxpayers who have either any unpaid self-assessed liability or who have been assessed a tax liability, whether before or after their filing of a return, which assessed liability remains unpaid.

To the extent that a taxpayer wishing to participate in the amnesty program has postponed the payment of an assessment of tax, interest and penalty under the authority of subsection (e) of section 32 of chapter 62C of the General Laws, the taxpayer shall waive in writing all rights under said subsection (e) to further delay the payment of the tax and interest portions of the assessment. The tax and interest portions of the assessment shall be payable in full from the date of the commissioner's notice of assessment. Upon payment by the taxpayer of the tax and interest of the outstanding assessment, the commissioner shall waive all penalties associated with that assessment. Thereafter, the taxpayer and the commissioner shall proceed with all administrative appeal rights that the taxpayer wishes to pursue with respect to the assessment.

This amnesty program shall not apply to those penalties which the commissioner would not have the sole authority to waive including, but not limited to, fuel taxes administered under the International Fuel Tax Agreement or under the local option portions of taxes or excises collected for the benefit of cities, towns or state governmental authorities.

The commissioner shall maintain records of the amnesty provided under this section, including but not limited to: (i) the number of taxpayers provided amnesty; (ii) the types of tax liability for which such amnesty is provided, and for each such type of liability, (a) the amount of tax liability collected by the commissioner, and (b) the amount of penalties foregone by virtue of such amnesty; and, (iii) the total outstanding tax liability due to the commonwealth, for the period through December 31, 2005, after the collections of all funds under this section. The commissioner shall file a report detailing such information with the clerks of the House of Representatives and the Senate, the chairs of the joint committee on revenue, the chairs of the House and Senate

committees on ways and means, the minority leader of the House and the minority leader of the Senate, not later than March 1, 2008; provided, that such report shall not contain information sufficient to identify any individual taxpayer or the amnesty any individual taxpayer is provided under this section.”
After remarks, the amendment was *rejected*.

Mr. Montigny, Ms. Tucker and Mr. Barrios moved that the bill be amended in Section 50 by striking the following: “, cost-sharing required of enrollees in the form of co-payments, premiums and deductibles, or any combination thereof, may be adjusted by the department of elder affairs to reflect price trends for outpatient prescription drugs, as determined by the secretary of elder affairs”
The amendment was *rejected*.

Messrs. Tarr, Tisei, Brown, Hedlund, Baddour and Knapik moved that the bill be amended by inserting, after Section 83, the following new Section:-

“SECTION 84. (a) Chapter 149 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended in Section 2 by adding the following at the end thereof:

‘Compliance with this section shall include but not be limited to entering into, maintaining and enforcing any and all memoranda of understanding with the Attorney General of the United States pertaining to the enforcement of federal laws regarding immigration and citizenship.’

(b) Section 2 of chapter 149 of the general laws, as appearing in the 2004 Official Edition, is hereby amended by inserting at the end thereof the following:-

‘The attorney general shall make available to the residents of the commonwealth a 24-hour toll-free hotline which may be used for reporting any suspected violations of the provisions of this chapter, including sections 19c and 26, relative to immigration status and wage laws, or of 8 U.S.C. 1324a, relative to the unlawful employment of unauthorized aliens. Calls to the hotline shall be treated confidentially, and callers shall have the option of reporting any violations anonymously. All complaints, whether received through the hotline, in writing, electronically, or in any other form, shall be recorded and documented by the attorney general and shall immediately refer any violations of federal law, including but not limited to 8 U.S.C. 1324a, to the attorney general of the United States and shall investigate all alleged violations of state law as authorized by the general laws. The attorney general shall annually prepare a year-end report detailing all reported violations of sections 19C and 26 of this chapter and of 8 U.S.C. 1324a, the nature of said violations, the date on which each complaint was received and documented, any enforcement action taken against an employer who knowingly employs illegal aliens in the commonwealth, and any violations of federal law forwarded to the attorney general of the United States. Said report shall be submitted to the house and senate committees on ways and means and to the joint committee on labor and workforce development on or before February 1 of each year.’”

After remarks, the amendment was **adopted**.

Mr. Montigny, Ms. Tucker, Ms. Resor and Mr. Knapik moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION ____ . Section 24 of chapter 90 is hereby amended in subsection (1)(a)(1) by striking out the first sentence of paragraph 2 and inserting in place thereof the following sentence:- “There shall be an assessment of \$250 against a person who, by a court of the commonwealth, is convicted of, is placed on probation for, or is granted a continuance without a finding for or otherwise pleads guilty to or admits to a finding of sufficient facts of operating a motor vehicle while under the influence of intoxicating liquor, marijuana, narcotic drugs, depressants or stimulant substances pursuant to the provisions of this section; provided, however, that moneys collected pursuant to said assessment shall be deposited by the court with the treasurer into the Head Injury Treatment Services Trust Fund established by section 59 of chapter 10.”.

The amendment was *rejected*.

Mr. Montigny and Ms. Tucker moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION ____ . Section 24 of chapter 90 is hereby amended by striking out the first sentence of paragraph (2) subsection (a) of subdivision(2) and inserting in place thereof the following:-

“There shall be an assessment of \$250 against a person who, by a court of the commonwealth, is convicted of, is placed on probation for or is granted a continuance without a finding for or otherwise pleads guilty to or admits to a finding of sufficient facts of operating a motor vehicle negligently so that the lives or safety of the public might be endangered pursuant to the provisions of this section; provided, however, that moneys collected pursuant to said assessment shall be deposited by the court

with the treasurer into the Head Injury Treatment Services Trust Fund established by section 59 of chapter 10".
The amendment was *rejected*.

Mr. Montigny and Ms. Tucker moved that the bill be amended by inserting, after Section ____, the following new Section:-

"SECTION _____. Section 20 of chapter 90 is hereby amended by striking out the fifth paragraph and inserting in place thereof the following:-

"There shall be a surcharge of \$50 on a fine assessed against a person convicted or found responsible of a violation of section 17 or a violation of a special regulation lawfully made under the authority of section 18. The surcharge shall be transferred by the registrar of motor vehicles to the state treasurer for deposit into the Head Injury Treatment Services Trust Fund established by section 59 of chapter 10".

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-

"SECTION 86. The definition of "Real estate tax payment" of subsection (k) of section 6 of said chapter 62, as appearing in the 2004 Official Edition, is hereby amended by adding the following:—

The real estate tax payment to be considered for purposes of calculating this credit shall also include 50 percent of the owner's home heating oil, natural gas, or propane, actually paid in the taxable year for which the credit is sought. Notwithstanding any special or general law to the contrary, the provisions of this section shall not take effect until such time as the department of revenue has furnished a study of their impact on the state's economy and the revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment, and ancillary economic activity, to the joint committee on revenue.

The definition of "Rent constituting real estate tax payment" of said subsection (k) of said section 6 of said chapter 62, as so appearing, is hereby amended by adding the following:—

The rent constituting real estate tax payment to be considered for purposes of calculating this credit shall also include 50 percent of the owner's home heating oil, natural gas, or propane, actually paid in the taxable year for which the credit is sought. Notwithstanding any general or special law to the contrary, the provisions of this section shall not take effect until such time as the department of revenue has furnished a study of their impact on the state's economy and the revenue cost to the commonwealth and its cities and towns, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states, any anticipated change in employment, and ancillary economic activity, to the joint committee on revenue."

Pending the question on adoption of the amendment, the President made a ruling on the following tax amendment, as follows:

The Massachusetts Constitution says: "All money bills shall originate in the house of representatives...." Senate Counsel has advised the Chair that, based on her extensive legal research, a bill that reduces general state tax revenue, as well as one that increases it, is a "money bill." The former Senate Counsel has taken this position in his published Legislative Drafting and Legal Manual since 2003.

The parliamentary precedents of the Senate require the President to observe with meticulous care the constitutional prerogatives of the House of Representatives. Without waiting for a point of order to be raised, she must see that the Senate does not originate a "money bill" in violation of the Constitution. A pending Senate amendment that would convert into a "money bill" a bill that was not a "money bill" when the House passed it is out of order.

The Chair is advised that the pending general appropriation bill as the House passed it was not a "money bill" because no tax provisions in the House bill take effect until further legislation is enacted. The pending amendment before the Senate has the effect of increasing or reducing general state tax revenue, and would thus convert the general appropriation bill into a "money bill". Therefore, the amendment is not in order.

The amendment was laid aside.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-

"SECTION 86. Section 24 of chapter 30 of the general laws, as appearing in the 2004 official edition, is hereby amended by inserting at the end thereof the following paragraph:-

Any electronic answering service in use by a department, board, commission, authority or agency of the Commonwealth during the office hours outlined herein for the purpose of receiving telephone calls shall present all callers with the option of speaking with a live operator. Employees designated as “non-emergency” personnel by their respective agencies shall not be permitted to utilize electronic answering services, also known as voicemail, for the purpose of recording telephone call messages. Those agencies that have not designated emergency personnel shall permit the utilization of electronic answering services only by those individuals in senior management positions.”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended, in Section 2, in item 7061-0008, by adding at the end thereof the following: “provided further, that no city, town, or regional school district shall receive less in Chapter 70 funding than it did in Fiscal Year 2002 or Fiscal Year 2003, whichever is greater”; and further, by striking out the figures “3,725,671,328” and inserting in place thereof the figures “\$3,757,000,965”.

The amendment was *rejected*.

Mr. Berry moved that the bill be amended by inserting, after Section XX, the following new Section:-

“SECTION XX. Section 58 of chapter 218 is hereby amended in the fifth paragraph, by striking the following words “the Essex county division shall have an assistant clerk; and inserting in place thereof the following:- “the Essex county division shall have a first assistant clerk and three assistant clerks”.

After remarks, the amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 0340-0900, by striking out the following paragraph, “and provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer,” and inserting in place thereof the following:- “provided further, that at least 30 days before transferring any funds authorized in this item from the AA object class, the district attorney shall notify the house and senate committees on ways and means of its intention to make that transfer; and provided further, that not less than \$150,000 shall be expended for the purpose of establishing a pilot program for the purpose of providing classroom based educational programs in Bristol County schools to help prevent relationship violence which shall be administered by the Bristol district attorney”, and in said item, by striking out the figures “\$6,987,953” and inserting in place thereof the figures “\$7,137,953”.

After remarks, the amendment was **adopted**.

Messrs. Antonioni, Augustus, Moore and Ms. Chandler moved that the bill be amended, in Section 2, in item 0333-0002, by striking out the figure “\$21,080,726” and inserting in place thereof the following figure:- “\$21,392,100”.

After debate, the amendment was *rejected*.

Messrs. Joyce, Barrios, Ms. Creem, Ms. Wilkerson and Ms. Walsh moved that the bill be amended, in Section 2, in item 0810-0000, by adding the following: “; provided further that \$50,000 shall be expended for the City-Wide Dialogues on Boston’s Ethnic & Racial Diversity, a program that provides a safe venue for honest, respectful, discussion across racial and ethnic lines, including neighborhood diversity dialogues and youth-police dialogues” and in said item, by striking out the figure “\$26,705,871” and inserting in place thereof the figure “\$26,755,871”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 0339-1003, by adding at the end thereof the following words: “prior appropriation continued”.

The amendment was *rejected*.

Messrs. Augustus, Antonioni, Moore, Brewer, Ms. Chandler and Ms. Resor moved that the bill be amended, in Section 2, in item 0340-0400, by striking out the figure “\$8,460,103” and inserting in place thereof the following figure:- “\$8,535,103”.

After remarks, the amendment was **adopted**.

Mr. Barrios moved that the bill be amended, in Section 2, in item 0331-0100, by adding at the end thereof the following: - “provided further, that not less than \$178,902 shall be expended for the Suffolk Superior Criminal Court Education and Community Outreach Program”; and in said item, by striking out the figures “\$23,398,071” and inserting in place thereof the figures “\$23,577,071”

The amendment was *rejected*.

Ms. Jehlen moved that the bill be amended, in Section 2, in item 0333-0002, by striking out the figures “21,080,726” and inserting in place thereof the following figures:- “21,398,577”; and in said item by inserting after the words “family services clinic” the following:- “provided further than not less than \$176,904 be allocated for the positions of First Assistant Register and Assistant Register for Middlesex County; provided further that not less than \$58,282 be allocated for the Middlesex Community Outreach Program; provided further that not less than \$82,665 be allocated to fund the Middlesex Deputy Assistant Registers and Associate Deputy Assistant Registers positions”.

The amendment was *rejected*.

Mr. Berry moved that the bill be amended, in Section 2, in item 0540-1000, by striking out the figure “\$2,899,846 and inserting in place thereof the following figure:- “\$3,432,631”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 0340-1100, by inserting after the words “January 1, 2008;” the following: “provided further, that \$150,000 shall be expended for the operation and management of the Berkshire County Drug Task Force”; and in said item, by striking out the figures “3,398,856” and inserting in place thereof the figures “\$3,548,856”.

The amendment was **adopted**.

Mr. Downing moved that the bill be amended, in Section 2, in item 0330-0410, by striking the following: “provided further, that not less than \$50,000 shall be expended for the Housing Services and Mediation Program operated by the Berkshire County Regional Housing Authority in Pittsfield; provided further, that not less than 29,558 shall be expended for Berkshire Mediation Services Inc.,” and by adding the following: “provided further, that not less than \$75,000 shall be expended for the Housing Services and Mediation Program operated by the Berkshire County Regional Housing Authority in Pittsfield”; and in said item, by striking out the figures “967,326” and inserting in place thereof the figures “\$962,768”.

The amendment was **adopted**.

Messrs. Creedon and Baddour moved that the bill be amended, in Section 2, in item 0330-3333, by striking out the figure “\$20,000,000” in each instance in which it appears and inserting in place thereof in each instance the following figure:- “\$24,000,000”.

The amendment was *rejected*.



There being no objection, during the consideration of the Orders of the Day, the following matter were considered, as follows:

Papers from the House.

A petition (accompanied by bill, House, No. 4046) of Robert L. Rice, Jr., and Robert A. Antonioni for legislation to authorize the city of Gardner to purchase a certain parcel of land located in the town of Winchendon,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

Engrossed Bill.

An engrossed Bill designating a bridge in the city of Methuen as the Corporal David M. Vincente Bridge (see House, No. 3446) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and was signed by the President and laid before the Governor for his approbation.**

Engrossed Bill -- Land Taking for Conservation, Etc.

An engrossed Bill relative to the sale of land by the Massachusetts Water Resources Authority (see Senate, No. 2179, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at four minutes past two o'clock P.M., as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 24]**

YEAS.

Antonioni, Robert A. Knapik, Michael R.
Augustus, Edward M., McGee, Thomas M.

Jr.
 Baddour, Steven A. Menard, Joan M.
 Barrios, Jarrett T. Montigny, Mark C.
 Berry, Frederick E. Moore, Richard T.
 Brewer, Stephen M. Morrissey, Michael W.
 Brown, Scott P. O’Leary, Robert A.
 Buoniconti, Stephen J. Pacheco, Marc R.
 Candaras, Gale D. Panagiotakos, Steven
 C. Chandler, Harriette L. Resor, Pamela
 Creedon, Robert S., Jr. Rosenberg, Stanley C.
 Creem, Cynthia Stone Spilka, Karen E.
 Downing, Benjamin B. Tarr, Bruce E.
 Fargo, Susan C. Timilty, James E.
 Hart, John A., Jr. Tisei, Richard R.
 Havern, Robert A. Tolman, Steven A.
 Hedlund, Robert L. Tucker, Susan C.
 Jehlen, Patricia D. Walsh, Marian
 Joyce, Brian A. Wilkerson, Dianne —
38.

NAYS — 0.

The yeas and nays having been completed at seven minutes past two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Recess.

There being no objection, at eight minutes past two o'clock P.M., at the request of Mr. Tisei, for the purpose of a minority caucus, the President declared a recess; and, at twenty minutes past four o'clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were further considered as follows:-

The House Bill making appropriations for the fiscal year 2008 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. 4001),-- was further considered, the main question being on ordering it to a third reading.

Mr. Creedon and Ms. Candaras moved that the bill be amended by striking out Section 26 and Section 27 in their entirety. The amendment was *rejected*.

Mr. Creedon moved that the bill be amended by inserting after Section ____, the following new Sections:
 “SECTION _____. The General Laws as appearing in the 2004 Official Edition is hereby amended by inserting after chapter 239 a new chapter as follows: -

Chapter 239A. Judicial Hearing Before Residential Foreclosure of Mortgages

GENERAL

Section 1: Definitions

- (a) "Unemployed person" means a person who is unemployed for purposes of chapter 567.
- (b) "Homeowner" means a person who has an ownership interest in residential real property subject to a mortgage which is the subject of a foreclosure action, and who has owned and occupied such property as his principal residence for a continuous period of not less than two years immediately preceding the commencement of such foreclosure action.
- (c) "Foreclosure Action" means any process under Chapter 244 of the General Laws or otherwise where a lender seeks to exercise its rights under a mortgage on residential property securing a loan that is in default. A lender must obtain a conditional judgment as part of the process of a Foreclosure Action.
- (d) "Restructured mortgage debt" means the adjustment by a court of a mortgage debt to give protection from a foreclosure action.
- (e) "Protection from foreclosure" means a court-ordered restructuring of a mortgage debt designed to eliminate an arrearage in payments on such debt and to provide a period not to exceed six months during which foreclosure is stayed.
- (f) "Lender" means any person who makes or holds mortgage loans in the ordinary course of business and who is the holder of any first mortgage on residential real estate which is the subject of a foreclosure action.
- (g) "Underemployed person" means a person whose earned income during the twelve-month period immediately preceding the commencement of the foreclosure action is (A) less than fifty thousand dollars and (B) less than seventy-five per cent of his average annual earned income during the two years immediately preceding such twelve-month period.

Section 2: Notice to homeowner of intent to commence foreclosure proceedings and protections from foreclosure

- (a) No less than twenty-five days prior to a Lender seeking a pre-conditional judgment order under Section 4 of this Chapter, the Homeowner shall receive a notice from the Lender that states in plain and simple English the following:
- (1) Facts sufficient to identify the mortgage and the parties thereto, including but not limited to, the name of the present holder of the mortgage, the original mortgagee, the lender which intends to foreclose, any servicer or agent acting on his behalf, and the name, address, and working telephone number of the entity responsible for responding to inquiries by the residential mortgage debtor;
 - (2) The nature of the default claimed;
 - (3) The availability of the provisions of Section 3;
 - (4) The availability of the provisions of Section 4;
 - (5) The availability of any other methods to cure the default as provided by law or contract and what performance, including what sum of money, if any, must be tendered to cure the default;
 - (6) The means by which the residential mortgage lender intends to foreclose, if the default is not cured, together with a reasonable estimate of the date on which such foreclosure might occur;
 - (7) That the residential mortgage debtor may be evicted from the property following a foreclosure sale;

(b) A Homeowner who receives notice under this Section, must make application for protection from foreclosure under Section 3 and/or request a hearing under Section 4(b) within twenty-five days of receipt of service under this Chapter.

(c) No pre-conditional judgment order shall be entered unless the court is satisfied from pleadings or affidavits on file with the court that the Homeowner against whom the foreclosure action is commenced has received the notice required by this Section.

(d) If a Homeowner against whom the foreclosure action is commenced did not receive the notice required by this Section at the prescribed time, the court, upon its own motion or upon the written motion of such homeowner, may issue an order staying the foreclosure action for fifteen days during which period the homeowner may apply to the court for protection from foreclosure by submitting an application together with a financial affidavit or request a hearing under Section 4(b).

Section 3: Application for protection from foreclosure action. Qualifications. Court determination of eligibility. Stay of foreclosure action.

(a) Subject to the provisions of subsection (b), a homeowner who is underemployed or unemployed against whom a foreclosure action is brought may make application, together with a financial affidavit, to the court having jurisdiction under Section 4 of this Chapter if: (1) The mortgage being foreclosed encumbers the residential real property, which property has served as his principal residence, for a period of not less than two years, (2) such homeowner has not had a foreclosure action commenced against him in the preceding seven-year period and (3) such homeowner has not received an emergency mortgage assistance loan and has not applied for emergency mortgage assistance for two years before the application.

(b) If the residential real property which is the subject of a foreclosure action is owned by more than one person, (1) no homeowner shall be deemed an unemployed person or an underemployed person, for the purposes of sections Section 3, unless the aggregate earned income of all the homeowners of the residential real property which is the subject of such foreclosure action during the twelve-month period immediately preceding the commencement of the foreclosure action is less than fifty thousand dollars and less than seventy-five per cent of the average aggregate annual earned income during the two years immediately preceding such twelve-month period for all such homeowners and (2) all homeowners of said property other than the homeowner making application in accordance with subsection (a) shall file a financial affidavit in connection with such application.

(c) The court shall determine the eligibility of such homeowner for protection from foreclosure pursuant to the provisions of Section 3.

(d) In determining the eligibility of a homeowner for protection from foreclosure under the provisions of sections Section 3, the court may consider any relevant facts and shall consider:

- (1) The likelihood that the homeowner will be able to make timely payments on the restructured mortgage commencing at the end of the restructuring period.
- (2) The presence of any substantial prejudice to the Lender or any subordinate lienor or encumbrancer, which would result from a restructuring of the mortgage debt.

(e) If it determines that a homeowner who is an underemployed person is eligible for protection from foreclosure, the court in its discretion may order the restructuring of the mortgage debt of such homeowner so as to eliminate any arrearage in payments on the mortgage debt and may allow a restructuring period not to exceed six months. If it determines that a homeowner who is an unemployed person is eligible for protection from foreclosure, the court shall order the restructuring of the mortgage debt to eliminate any arrearage in payments on the mortgage debt and shall order a restructuring period not to exceed six months.

(f) As a condition to the granting of a restructuring order, the court may order the homeowner to pay to the lender during the restructuring period an amount not to exceed twenty-five per cent of his net income per month as a means of demonstrating the homeowner's good faith effort to reduce his mortgage indebtedness. For purposes of this section, "net income" shall include any unemployment benefit received by the homeowner.

(g) At the conclusion of the restructuring period, the new mortgage debt shall be computed based upon a composite rate of interest. The composite rate of interest shall be a weighted average of the original mortgage interest rate as to the principal balance and the prevailing interest rate as to all sums added to the principal balance to establish the total restructured mortgage debt, except that in the case of a flexible rate, variable rate or similar adjustable rate mortgage note, the provisions of the underlying mortgage note for the re-determination of the interest rate on the mortgage shall continue to apply and remain in full force and effect during the remainder of the term of the mortgage.

(h) In determining the restructured mortgage debt, the court shall add the following to the existing principal balance of the mortgage debt: (1) All interest then due the lender and any interest that will be earned to the end of any restructuring period, including interest on any payments advanced by the lender during the restructuring period, such interest to be computed at the rate provided in the mortgage note, (2) real property taxes, (3) premiums for Federal Housing Administration, Veterans' Administration and private mortgage insurance, and (4) court costs, legal fees and any other sums the court determines to be due under the terms of the mortgage indebtedness by the court. The court shall then apply the composite interest rate as provided in subsection (c) of this section to such total restructured debt over the remaining term of the loan.

(i) If the court determines the equity the homeowner has in the property and hears testimony from an appraiser produced by the Lender in connection with such determination, (1) the reasonable cost of the appraisal and the appraiser's appearance as a witness shall be part of the court costs to be added to the principal balance pursuant to subdivision (4) of subsection (a) of Section 3(i) if a restructuring order is granted and (2) the reasonable cost of said appraiser's appearance as a witness shall be part of the taxable costs of the action, in addition to the taxable costs for such appraisal and the appraiser's appearance as a witness at a subsequent hearing for a judgment of foreclosure if such order is not granted.

(j) The amount of the mortgage debt at the end of any period of restructuring shall in no event exceed either the amount of the original mortgage debt or ninety per cent of the fair market value of the property as determined by an accredited real estate appraiser at the time of restructuring, whichever is greater. The provisions for restructuring the mortgage debt and staying the foreclosure shall apply only if the debt as restructured would not exceed such amount. Any sums added to the existing mortgage debt as a result of a restructuring order shall accrue interest at prevailing market rates after the conclusion of the restructuring period, which rate shall be either fixed or variable depending upon the underlying mortgage note.

(k) If the court approves the application for protection from foreclosure and restructures the mortgage debt, the foreclosure action shall be stayed for the restructuring period. If, for a period of three months following the end of the restructuring period, there are

no further proceedings to continue the foreclosure proceedings based upon a default on the mortgage as restructured, the foreclosure action shall be dismissed. The restructured mortgage debt shall have the same priority as if it had been advanced at the time the mortgage was delivered.

Section 4: Lender must file an affidavit with the court, Opportunity for hearing on Conditional Judgment.

(a) Prior to seeking a conditional judgment under Chapter 244 of the General Laws, a Lender must obtain a pre-conditional judgment order from the housing court in the county where the property to be foreclosed upon sits. If there is no housing court in the county, the Lender must obtain the - pre-conditional judgment order from the district court for the county where the property to be foreclosed upon sits.

(b) In order to obtain a pre-conditional judgment order from the court, a Lender shall file an affidavit signed under the pains and penalties of perjury stating or otherwise proving the following elements:

That the Lender owns a mortgage secured by the homeowner's real property;

The mortgage was issued in accordance with the terms, conditions and legal requirements in effect at the time the mortgage was issued; and

The homeowner is in default on the mortgage.

(b) In an action for a lender to obtain a pre-conditional judgment order, a homeowner shall have the right to request a hearing on the pre-conditional judgment order. The hearing shall proceed as follows:

The homeowner must request a hearing on the pre-conditional judgment order within 10 days of receiving notice pursuant to Section 2(a) of this chapter;

At a hearing on the pre-conditional judgment order, all parties in interest shall have the opportunity to present evidence to prove or disprove the truthfulness of the affidavit required by subsection (a) above. The burden shall be upon the Lender to prove the truthfulness of the affidavit required under subsection (a) above.

The court must find by order whether or not the Lender has satisfied its obligations under subsection (a) above.

[Section 5:

(a) The provisions of Chapter 239A shall be read in conformity with other provisions of the Massachusetts General Laws. However, if there is a conflict between the provisions of Chapter 239A and any other provision of Massachusetts General Laws, including but not limited to Chapter 244, the provisions of Chapter 239A shall govern.

(b) The provisions of Chapter 239A shall be read in conformity with the Massachusetts Declaration of Rights and the United States Constitution. However if there is a conflict between any provision of Chapter 239A and Massachusetts Declaration of Rights or United States Constitution, that shall not affect the applicability of the remainder of the Chapter.]”.

“SECTION _____. Chapter 244, section 3 of the General Laws as appearing in the 2004 Official Edition is hereby amended by striking the section in its entirety and inserting in place thereof the following new language:-

Section 3. The mortgagee in an action for possession must present the court with a pre-conditional judgment order pursuant to Chapter 239A of the General Laws and may declare on his own seisin, stating that it is in mortgage; and if the court finds upon verdict or otherwise that the plaintiff is entitled to possession of the land for breach of condition, it shall upon motion of either party award a conditional judgment.”

“SECTION _____. Chapter 244, section 11 of the General Laws as appearing in the 2004 Official Edition is hereby amended by striking the section in its entirety and inserting in place thereof the following new language:-

Section 11. If a conditional judgment has been entered upon a mortgage containing a power of sale, the court shall, instead of issuing a writ of possession, at the request of the plaintiff order the property to be sold pursuant to such power so long as the plaintiff has also met all of the requirements in Chapter 239A of the General Laws. The plaintiff shall thereupon execute the power and do all things required by it or by the court.”.

The amendment was *rejected*.

Messrs. Creedon and Baddour moved that the bill be amended, in Section 2, in item 0330-3334, by striking out the figure “\$20,000,000” in each instance in which it appears and inserting in place thereof in each instance the following figure:-

“\$23,000,000”.

The amendment was *rejected*.

Messrs. Creedon and Baddour moved that the bill be amended, in Section 2, in item 0330-3200, by striking out the figure “\$63,614,924” and inserting in place thereof the following figure:- “\$66,106,004”.

The amendment was *rejected*.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 0332-0100 by striking out after the word “renovations,” the words “that the relocation will be limited to within ¼ mile radius of the city of Taunton” and inserting in place thereof the following:- “that the relocation will be limited to within ¼ mile radius of the downtown area of the city of Taunton.”

After remarks, the amendment was **adopted**.

Mr. Creedon and Ms. Candaras moved that the bill be amended, in Section 2, in item 0321-1518, by striking out the word “\$750,000” and inserting in place thereof the word “\$2,750,000” and by striking the figure “\$750,000” and inserting in place thereof the following figure:— “\$2,750,000”.

The amendment was *rejected*.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 0331-0100 by striking out after the word “renovations,” the words “that the relocation will be limited to within ¼ mile radius of the city of Taunton” and inserting in place thereof the following:- “that the relocation will be limited to within ¼ mile radius of the downtown area of the city of Taunton.”

After remarks, the amendment was **adopted**.

Mr. Creedon moved that the bill be amended by inserting, after Section ____, the following new Section:-

“SECTION _____. Section 11 of chapter 211D of the General Laws, as most recently amended by section 2 of chapter 54 of the acts of 2005, is hereby amended by striking out the first sentence and inserting in place thereof the following new sentence:— The rates of compensation payable to all counsel, who are appointed or assigned to represent indigents within the private counsel division of the committee in accordance with the provisions of paragraph (b) of section 6, shall, subject to appropriation, be as follows: for homicide cases the rate of compensation shall be \$105 per hour; for superior court non-homicide cases, including sexually dangerous person cases, the rate of compensation shall be \$65; for district court cases and children in need of services cases the rate of compensation shall be \$53 per hour; for children and family law cases, care and protection cases, sex offender registry cases and mental health cases the rate of compensation shall be \$55 per hour.

The amendment was *rejected*.

Mr. Creedon, Ms. Candaras, Mr. Buoniconti, Ms. Creem, Mr. Havern and Ms. Tucker moved that the bill be amended, in Section 2, in item 0321-1510, by striking out the figure “\$119,763,305” and inserting in place thereof the following figure:— “129,694,198.”

The amendment was *rejected*.

Mr. Creedon and Ms. Candaras moved that the bill be amended, in Section 2, in item 0321-1513, by striking out the figure \$8,132,279” and inserting in place thereof the following figure:— “\$10,164,736”

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 0321-2100, by striking out the figure “\$820,000” and inserting in place thereof the following figure:— “\$840,000.”

After remarks, the amendment was **adopted**.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 0333-0002 by inserting after the word “Taunton” the following:- “,within a ¼ mile radius of the downtown area.”

The amendment was **adopted**.

Messrs. Creedon, Havern, Augustus, Morrissey, Hedlund, Timilty, Ms. Creem, Ms. Jehlen, Ms. Tucker, Ms. Wilkerson, Ms. Resor, Ms. Fargo, Ms. Spilka, Mr. Moore and Ms. Walsh moved that the bill be amended, in Section 2, in item 0321-1600 by deleting the following figure “\$9,470,424” and inserting in place thereof the following figure: “\$9,670,424”

The amendment was **adopted**.

Mr. Creedon, Ms. Candaras, Ms. Tucker, Ms. Creem, Mr. Havern, and Ms. Tucker moved that the bill be amended by inserting, after Section ____, the following new Section:-

SECTION _____. Section 11 of chapter 211D of the General Laws, as most recently amended by section 2 of chapter 54 of the acts of 2005, is hereby amended by striking out the second paragraph.

After remarks, the amendment was **adopted**.

Messrs. Buoniconti, Knapik, Brewer and Ms. Candaras moved that the bill be amended, in Section 2, in item 8910-0102, by striking the figures "\$66,202,260" and inserting in place thereof the figures "\$71,986,013"
The amendment was *rejected*.

Messrs. Buoniconti, Knapik, Brewer and Ms. Candaras moved that the bill be amended, in Section 2, in item 8910-1000, by striking the figure "\$1,198,345" each time it appears and inserting in place thereof the figure "\$1,594,460".
The amendment was **adopted**.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 0340-0700, by striking out the figures "\$8,255,638" and inserting in place thereof the figures "\$8,317,136".
The amendment was **adopted**.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 0340-0700, by adding after the word "transfer" in the last line the words ", prior appropriation continued".
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 0321-2205, by striking out the figure "\$2,129,671" and inserting in place thereof the following figure: "\$1,979,671".
After remarks, the amendment was *rejected*.

Ms. Chandler and Mr. Antonioni moved that the bill be amended, in Section 2, in item 0332-0100, by striking out the figure "\$39,147,707" and inserting in place thereof the following figure: "\$39,256,707".

Pending the question on adoption of the amendment, Mr. Joyce moved that the amendment be amended by adding the following: "; provided further that \$84,870 shall be expended for the position of Assistant Clerk Magistrate at the Stoughton District Court"; and in said item, by striking out the figure "\$39,147,707" and inserting in place thereof the figure "\$39,232,577".
The further amendment was *rejected*.

The pending amendment (Chandler/Antonioni) was then considered; and it was *rejected*.

Mr. Creedon and Ms. Tucker moved that the bill be amended, in Section 2, in item 0840-0100, by striking out the figure: "\$521,213" and inserting, in place thereof, the figure: "\$596,776".
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by striking Section 73 in its entirety and inserting in place thereof the following new Section:-

"SECTION 73. Notwithstanding any general or special law to the contrary, the division of capital asset management and maintenance shall submit a report to the house and senate committees on ways and means, not later than January 15, 2008, detailing the use of private rental space by each district attorney's office and by lease costs of private rental space by the committee for public counsel services, henceforth known as the committee. The report shall include, but not be limited to, the following: 1) the annual cost of leasing private space for each district attorney's office; 2) the existence and availability of any state-owned space within the geographical jurisdiction of each district attorney and within the geographical proximity of committee offices that could accommodate the minimum square footage needs of each respective district attorney and committee office; and 3) by each district attorney's office and committee office, future savings that could be achieved by relocating any district attorney's office or committee office from privately leased space to state-owned space. The division shall also submit a report to the house and senate committees on ways and means, not later than February 15, 2008, detailing the use of private lease space throughout the trial court. The report shall include, but not be limited to, the following: (1) the annual cost of private lease space used by the central administration office of the trial court and any department of the trial court; (2) the existence and availability of any state-owned space that could accommodate the minimum square footage demands of the central administration office of the trial court; (3) future savings that could be achieved by relocating the central administration office of the trial court to 3 Pemberton square in the city of Boston; and (4) future savings that could be achieved by relocating non-state agencies from state-owned space to accommodate the minimum square footage demands of the central administration office of the trial court."

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-three minutes before five o'clock P.M., on motion of Mr. Knapik, as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 25]:**

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne —

38.

NAYS — 0.

The yeas and nays having been completed at nineteen minutes before five o'clock P.M., the amendment was adopted.

Mr. Montigny, Ms. Tucker, Ms. Spilka, Messrs. Brown, Barrios and Tarr moved that the bill be amended, in Section 2, in item 0810-0000, by adding at the end the following: “; provided further, that not less than \$180,000 shall be expended to provide culturally competent education and training to law enforcement, labor organizers and workers, and community service providers on the issue of human trafficking”; and in said item, by striking out the figures “\$26,705,871” and inserting in place thereof the figures “\$26,885, 871”.

After remarks, the amendment was **adopted**.

Ms. Wilkerson, Messrs. Tolman, Timilty, Ms. Chandler, Messrs. Barrios and Brown moved that the bill be amended by adding the following section:-

SECTION 86. There shall be a special commission to study the existing level of services offered by the department of corrections, county jails, and houses of correction, the potential benefit of additional services, including but limited to, education, job skills training, and housing, and other ways to reduce recidivism rates.

The commission shall consist of: the house and senate chairs of the joint committee on public safety who shall co-chair the commission, 3 persons to be appointed by the senate president, 1 person to be appointed by the senate minority leader, 3 persons to be appointed by the speaker of the house, 1 to be appointed by the house minority leader, the secretary of public safety, or a designee, the secretary of health and human services, or a designees; the secretary of labor, or a designee; 2 individuals with experience in the area of re-entry services to be appointed by the governor;

The commission shall file its report, including any legislative or regulatory recommendations with the clerks of the Senate and the House of Representatives by October 31, 2007.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at four minutes before five o'clock P.M., on motion of Ms. Wilkerson, as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 26**]:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne —

38.

NAYS — 0.

The yeas and nays having been completed at two minutes before five o'clock P.M., the amendment was adopted.

Ms. Menard moved that the bill be amended, in Section 2, in item 0337-0002, by inserting, after the phrase "expansion of the juvenile court, including", the following words: - "Bristol, Barnstable".

The amendment was **adopted**.

Ms. Wilkerson and Ms. Spilka moved that the bill be amended (a) The secretary of administration and finance or his designee, in this section called the secretary, the jury commissioner or her designee, and the state secretary or his designee shall together convene a working group to establish an administrative records list of all residents 17 years and older for the purpose of testing the feasibility of using such a list for the creation of jury pools and purging voter lists. The working group shall consist of representatives of appropriate executive and judicial agencies and others, as determined by the secretary. The secretary shall consult with and work collaboratively with the working group in carrying out this section.

(b) All state agencies possessing an electronic database which contains information relative to these persons, including but not limited to the state secretary, registry of motor vehicles, department of revenue, board of higher education, department of transitional assistance, office of medicaid, department of public health and division of unemployment assistance, notwithstanding section 46 of chapter 151A of the General Laws, shall provide in electronic form a copy of the database in a format acceptable to the secretary. In addition, any city or town that conducts an annual census shall provide such data to the secretary, and all public

and private colleges and universities shall provide such data from enrollment records. To the extent possible, the data shall include the name, residential address, mailing address, race, gender, social security number, and date of birth of each person. In those cases where a federal or state waiver or authorization is necessary to provide this information, each agency or entity shall take all necessary steps to obtain such authorization or waiver, which a state agency may not unreasonably withhold. No information shall be provided to the secretary beyond that required to create the administrative records list. Nothing shall be included in a printed administrative records list that would indicate from which source list the information on an individual resident was derived. The secretary may secure and use additional lists from nongovernmental institutions and sources in order to create the administrative records list.

(c) The secretary, on behalf of the working group, shall provide in electronic form a copy of the administrative records list, not containing social security numbers, to the jury commissioner for the purpose of testing the feasibility of using such a list for the creation of jury pools. The secretary shall provide in electronic form a copy of the administrative records list to the state secretary only for purposes of testing its use to maintain voter registration lists and testing its use as a source for street lists for cities and towns, and to the Massachusetts State Data Center at the University of Massachusetts Donahue Institute for the purposes of testing the administrative records list and supporting efforts to improve United States Census Bureau population estimates for the commonwealth only. The secretary, the state secretary, the jury commissioner, the department of revenue, the Massachusetts State Data Center, and all others who have access to data under this section shall treat all such data confidentially, and such data and any record created, received or maintained from such data under this section shall not be a public record and shall not be disclosed except as provided in this section. Testing of the administrative records list shall not replace or alter any requirement of current law for creating jury pools, maintaining voting lists or establishing street lists, until further act of the general court. The jury commissioner and the state secretary shall submit an annual report each year until the testing is complete to the clerks of the House and the Senate, the Chairs of the Committee on Election Laws, and the Chairs of the Committee on State Administration and Regulatory Oversight.

(d) For the purposes of establishing an administrative records list, the commissioner of revenue shall disclose to the office of the secretary the names, social security numbers and addresses of residents filing personal income tax returns, but such information shall not be disclosed if the IV-D agency has been provided with reasonable evidence of a risk of harm pursuant to section 5A of chapter 119A of the General Laws.

(e) For the purposes of this section, the information contained in the wage reporting match system may be disclosed to the secretary for the purpose of establishing an administrative records list. Only information required to create the administrative records list shall be provided to the secretary including, but not limited to, the name and social security number of each individual listed.

The amendment was **adopted**.

Messrs. Montigny and Tarr moved that the bill be amended by inserting after Section ____, the following new Section:

“SECTION __. The executive office of health and human services shall develop a comprehensive public and private strategy to promote wellness and chronic disease management and prevention. The strategy shall include public and private initiatives to promote a system-wide focus on chronic care prevention and management, including healthy behaviors and patient self-management, the involvement of community and consumer groups to support the prevention and management of chronic conditions, and integrated reporting and payment systems to support the strategy.

The final strategic plan shall include target timelines for inclusion of specific chronic conditions to be included in the chronic care infrastructure and statewide implementation of the strategy including participation by insurers, health care professionals, hospitals, community health centers and other providers, and consumers in the chronic care management plan, including common outcome measures, information technology reform, best practices and protocols, data reporting requirements, payment methodologies, and other standards.

In developing the strategy, the secretary shall convene a broadly representative advisory committee that includes providers, patients, payors, religious and civic organizations, organizations representing racial, ethnic and linguistic minorities and experts. The secretary shall consult with officials informed about the Vermont Blueprint for Health and other state officials and national authorities on chronic care. The secretary shall hold at least two public hearings regarding the strategy, one of which shall be outside the Boston region.

The secretary shall submit the strategy to the governor, president of the senate and the speaker of the house of representatives no later than December 1, 2007. The strategy and supporting materials and information shall be made available on the EOHHS internet site.”

The amendment was *rejected*.

Messrs. Montigny and Tarr moved that the bill be amended by inserting after the word “database” the following words:

“provided, that the department shall spend not less than \$250,000 for pilot demonstration project grants to non-profit community organizations to implement a chronic disease self-management program that teaches coordinated strategies to provide patients and their families with education and support to empower patients to manage chronic conditions as active partners in their own care, provided further that such grants shall focus on providing assistance in diverse settings that focus on underserved populations and racial and ethnic minority populations and shall include an evaluation component; and”; and by striking out the figure “\$13,919,012” and inserting in place thereof the following figure: “\$14,169,012”.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting after section 85 the following new section:-

“Section 86. Section 1. Sections 52, 53, 54 and 55 of Chapter 7 of the General Laws are hereby repealed.

Section 2. Section 5 of Chapter 268A of the General Laws, as appearing in the 2000 Official Edition, is hereby amended by striking out in lines 29 through 40, the following words:- “or f) a former state employee whose salary was not less than that in step one of job group M-VII in the management salary schedule in section forty-six C of chapter thirty, and who becomes an officer or employee of a business organization which is or was a party to any privatization contract as defined in section fifty-three of chapter seven in which contract he participated as such state employee, if he becomes such officer or employee while the business organization is such a party or within one year after he terminates his state employment, unless before the termination of his state employment the governor determines, in a writing filed with the state ethics commission, that such participation did not significantly affect the terms or implementation of such contract”.

Section 3. Section 274 of chapter 110 of the acts of 1993, as amended by Section 3 of chapter 296 of the acts of 1993, is hereby further amended by striking out the last two paragraphs.

Section 4. Section 4 and Section 5 of chapter 296 of the acts of 1993 are hereby repealed.

The amendment was *rejected*.

Ms. Jehlen moved that the bill be amended, in Section 2, in item 0526-0100 by inserting at the end the following:- “provided that \$200,000 be expended for the historic preservation and maintenance of the Sanborn House in the town of Winchester”.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund, Brown and Barrios moved that the bill be amended, in Section 2, in item 1231-1000, by striking out the figure “\$15,000,000” and inserting in place thereof the following figure:- “\$25,000,000”.

After debate, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section: -

“SECTION 86. Section 5B of Chapter 29 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting at the end of the sixth paragraph the following:- “Any revision of the revenue estimate made by the departments shall be published and made available to the general public in a conspicuous manner on the department’s official internet website within 3 days of submission of said estimates to the governor.”

After remarks, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Sections:-

“SECTION 86. Section 31 of chapter 31 of the general laws, as appearing in the 2004 official edition, is hereby amended by striking the section in its entirety and inserting in place thereof the following new section:-

“Section 31. The printing, binding, and procuring of stationery for the use of offices and departments of the commonwealth shall be under the direction of the heads of said offices or departments and shall be approved by them.

Offices and departments purchasing stationery items, including but not limited to letter head stationery and personal business cards, on behalf of employees or personnel contracted to a state office or department, pursuant to this section, shall not expend funds for gold embossment on stationery items purchased from administrative accounts funded through state appropriations.

Administrative accounts that are funded partially or entirely by federal funds or trust funds shall not purchase said stationery items with gold embossment.

Purchasing officers of said offices and departments may facilitate requests from employees wishing to have gold embossment on state-issued stationery provided that said employees provide a personal check made out to "Commonwealth of Massachusetts" in the amount equaling the difference between the cost of non-embossed traditional stationery and the cost of the desired gold embossed stationery. Heads of said offices and departments may promulgate internal regulations to facilitate such requests.

SECTION 87. Section 7 of chapter 6 of the general laws, as appearing in the 2004 official edition, is hereby amended by striking the section in its entirety and inserting in place thereof the following new section:-

Section 7. The printing, binding, and procuring of stationery for use of the council shall be under the direction of the executive secretary and shall be approved by him.

The executive secretary shall not procure or authorize the expenditure of funds for gold embossment on stationery items, including but not limited to letter head stationery and personal business cards, purchased from administrative accounts funded through state appropriations.

The executive secretary may facilitate requests from employees wishing to have gold embossment on state-issued stationery provided that said employees provide a personal check made out to "Commonwealth of Massachusetts" in the amount equaling the difference between the cost of non-embossed traditional stationery and the cost of the desired gold embossed stationery. The executive secretary may promulgate internal regulations to facilitate such requests.

SECTION 88. The state auditor is hereby directed to conduct a statewide audit of agency administrative supplies purchases pursuant to section 12 of chapter 11 of the general laws. A report on the findings and any recommendations to reduce administrative costs in state agencies shall be submitted to the clerks of the house of representatives and the senate, the house and senate committees on ways and means and the joint committee on state administration and regulatory oversight on or before February 15, 2008."

After debate, the amendment was **adopted**.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-

"SECTION 86. Section 2H of chapter 29 of the general laws, as appearing in the 2004 official edition, is hereby amended by inserting after the first paragraph the following two paragraphs:-

"In any fiscal year in which the joint revenue estimate exceeds the prior year's state revenues by three per cent or greater no more than two per cent of the balance of the Commonwealth Stabilization Fund shall be utilized for appropriation in said fiscal year. In addition, if the total actual revenues collected in the first three quarters of any given fiscal year exceed by one and one half per cent or greater the total forecasted revenues for each month in said quarters, as determined by the department of revenue pursuant to section 5B of chapter 29, funds shall not be appropriated from the Commonwealth Stabilization Fund in excess of one per cent of the balance of said fund.

Funds shall not be transferred from the Commonwealth Stabilization Fund to any other fund without an accompanying report including, but not limited to, a statement as to the purpose for the transfer of fund and a listing of state agencies or state budgetary accounts to which the legislature plans to allocate funds. Said report shall be submitted to the clerks of the house of representatives and the senate, and shall be published on the official website of the General Court, at least thirty days prior to the transfer of funds from the Commonwealth Stabilization Fund to any other fund."

After debate, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-

"SECTION 86. Section 2H of chapter 29 of the General Laws, as so appearing, is hereby amended by striking in line two the words "Commonwealth Stabilization Fund" and inserting in place thereof the following:- "Commonwealth Credit Line".

Section 2. Whenever the phrase "Commonwealth Stabilization Fund" appears in general or special law, regulation, contract or other document, it shall be taken to mean "Commonwealth Credit Line."

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended at the end thereof by inserting the following new section:-

“Section 86. The state auditor shall conduct a review of all funds expended by the Commonwealth’s public universities, colleges and community colleges for printed advertising over the past two fiscal years. Said review shall identify areas of wasteful, inappropriate and duplicative advertisements and publications. The review shall determine what, if any benefit is realized through bulk mailings of unsolicited printed publications. A report of the findings of said review along with any recommendations shall be submitted not to the house and senate clerks, the joint committee on state administration and regulatory oversight, the joint committee on higher education and the house and senate committee’s on ways and means later than January 15, 2008.”

After remarks, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 0411-1002, by striking out the item in its entirety.

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty minutes before six o'clock P.M., on motion of Mr. Tisei, as follows, to wit (yeas 5 - nays 33) [**Yeas and Nays No. 27**]:

YEAS.

Brown, Scott P. Tarr, Bruce E.
Hedlund, Robert L. Tisei, Richard R. — **5.**

Knapik, Michael R.

NAYS.

Antonioni, Robert A. McGee, Thomas M.

Augustus, Edward M., Jr. Menard, Joan M.

Baddour, Steven A. Montigny, Mark C.

Barrios, Jarrett T. Moore, Richard T.

Berry, Frederick E. Morrisey, Michael W.

Brewer, Stephen M. O’Leary, Robert A.

Buoniconiti, Stephen J. Pacheco, Marc R.

Candaras, Gale D. Panagiotakos, Steven
C.

Chandler, Harriette L. Resor, Pamela

Creedon, Robert S., Jr. Rosenberg, Stanley C.

Creem, Cynthia Stone Spilka, Karen E.

Downing, Benjamin B. Timilty, James E.

Fargo, Susan C. Tolman, Steven A.

Hart, John A., Jr. Tucker, Susan C.

Havern, Robert A. Walsh, Marian

Jehlen, Patricia D. Wilkerson, Dianne —
33.

Joyce, Brian A.

The yeas and nays having been completed at seventeen minutes before six o'clock P.M., the amendment was *rejected*.

Messrs. Hedlund, Tisei, Tarr, Knapik and Montigny moved that the bill be amended, in Section 2, in item 1599-0035, by inserting after the words “notwithstanding section 35J of chapter 10 of the General Laws” the following:- “; provided that the Massachusetts Convention Center Authority shall enter into such agreements necessary for the right to name all or any part of the

Boston Convention and Exhibition Center in the City of Boston, pursuant to the powers granted the Authority by subsection q of section 35 of chapter 190 of the acts of 1982 for due consideration and for a term of years, not to exceed thirty years, provided further, that the Authority may decline to enter such an agreement if it finds the proposed terms to be inappropriate, and certifies such finding and the reasons therefore in writing to the clerks of the house and senate. Any and all compensation realized from the sale of said naming rights shall be deposited in the Civic and Convention Center Fund established pursuant to section 39 of chapter 190 of the acts of 1982.”

After remarks, the amendment was **adopted**.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section: -

“SECTION 86. Section 1 of Chapter 32 of the General Laws, as appearing in the 2004 official edition, is hereby amended by inserting in the definition of “regular compensation” after the first paragraph the following new paragraph: -

“Regular compensation,” during any period subsequent to January 1, 2007, shall mean the full salary, wages or other compensation in whatever form, lawfully determined for the individual service of the employee by the employing authority, not including bonus, overtime, allowances for housing, transportation, travel, any and all employment related expense reimbursements, severance pay for any and all unused sick leave, or any other payments made as a result of giving notice of retirement, and any other such compensation in excess of salary or wages or as reasonably determined by the board.

Section 2. Section 1 of chapter 32 of the General Laws, as so appearing, is hereby amended by inserting following the definition of the words “Annuity savings fund” the following: - “Average annual rate of regular compensation”, shall be the average of the rate of regular compensation for any qualifying year of credible service received during each pay period during the qualifying year.

Section 3. Paragraph (b) of subdivision (1) of section 5 of chapter 32, of the General Laws, as so appearing, is hereby amended at the end thereof by adding following: - In the event that eighty per cent or greater of his regular compensation is in payment for duties in the group having the higher maximum age limit, such member shall not be considered to have achieved the maximum age for superannuation until he has attained the maximum age limit in the group having the higher maximum age limit, said member shall be limited to the performance of such later duties as prescribed in this paragraph.

Section 4. Subdivision (2) of section 5 of chapter 32, of the General Laws, as so appearing, is hereby amended at the end thereof by adding the following sentences: - Provided that in any given year, no retirement allowance, as provided for by this chapter, shall exceed four hundred per cent of the average retirement allowance in the Commonwealth. The board shall determine the average retirement allowance in the Commonwealth as of January 1 of each year.”

After remarks, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 0610-0050, by striking out the figure “\$2,259,139” and inserting in place thereof the following figure: - “\$1,909,139”.
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 0640-0010, by striking out the item in its entirety.

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at two minutes past six o'clock P.M., on motion of Ms. Tucker, as follows, to wit (yeas 9 - nays 29) [**Yeas and Nays No. 28**]:

Joyce, Brian A.	Wilkerson, Dianne —
	38.
NAYS — 0.	

The yeas and nays having been completed at seven minutes past six o'clock P.M., the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund, Brown, and Joyce and Ms. Resor moved that the bill be amended by inserting, after Section _____, the following new Section:-

“SECTION _____. Section 1. Chapter 10 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by inserting after section 35CC the following section:-

Section 35DD.

State Parks Preservation Trust Fund

There shall be established and set up on the books of the commonwealth a separate fund to be known as the State Parks Preservation Trust Fund, to be expended without prior appropriation, by the secretary of energy and environmental affairs for purposes of maintaining and preserving all state-owned parks for the enjoyment of the public. Said fund shall consist of all revenues received by the commonwealth: (1) under the provisions of law authorizing the voluntary check-off donation indicated on the department of revenue's annual individual income tax return, pursuant to section 6L of chapter 62; (2) from public and private sources as gifts, grants, and donations to further parks protection programs; or (3) from the federal government as reimbursements, grants-in-aid or other receipts on account of such preservation efforts.

All revenues credited under this section shall remain in said State Parks Preservation Trust Fund, not subject to appropriation, to assist the commonwealth in paying all or part of the costs to manage, preserve, protect, perpetuate, and enhance state-owned parks in the commonwealth. The state treasurer shall not deposit said revenues in or transfer said revenues to the General Fund or any other fund other than the State Parks Preservation Trust Fund. No expenditure from the fund shall cause the fund to be in deficiency at the close of a fiscal year. Monies deposited in the trust fund that are unexpended at the end of the fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year

The state treasurer shall deposit monies in said fund in accordance with the provisions of sections 34 and 34A of chapter 29 in such manner that will ensure the highest rate of interest available consistent with the safety of the fund, and in an account from which amounts may be withdrawn at any time without penalty for such withdrawal. The fund shall be expended only for the purposes stated above at the direction of the secretary of energy and environmental affairs.

SECTION 2. Chapter 62 of the General Laws, as so appearing, is hereby amended by inserting after section 6K the following new section:-

Section 6L. State Parks Preservation Trust Fund; contributions

Every individual who files a separate return may voluntarily contribute one dollar to be paid over to the State Parks Preservation Trust Fund, established by section 35DD of chapter 10. In the case of a joint return of husband and wife, each spouse may voluntarily contribute one dollar to said fund. A credit in the full amount of any contribution under this section shall be allowed against the tax imposed by this chapter; provided, that for any such return no such credit shall exceed the income tax liability for any taxable year.

At the beginning of each fiscal year, subject to appropriation, one dollar shall be credited from the General Fund to the State Parks Preservation Trust Fund for each dollar contributed by the public in the prior fiscal year under the provisions of this section. The commissioner of revenue shall certify to the state comptroller total revenues contributed to the State Parks Preservation Trust Fund by individuals in the prior fiscal year.

A contribution made under this section may be made with respect to any taxable year at the time of filing the return of the tax imposed by this chapter for such taxable year; provided, however, that the commissioner shall prescribe the manner in which such contribution shall be made on the face of the return required by section 5 of chapter 62C.

For purposes of this section the words "income tax liability for any taxable year" shall mean the amount of tax imposed by this chapter reduced by the sum of the credits allowed by clause (a) of section 6.

The commissioner shall annually report the total amount designated under this section to the state treasurer who shall credit such amount, plus any accrued interest, to the State Parks Preservation Trust Fund."

The question on adoption of the amendment was determined by a call of the yeas and the nays at eight minutes past six o'clock P.M., on motion of Mr. Tisei, as follows, to wit (yeas 37 - nays 0) **[Yeas and Nays No. 29]**:

Joyce, Brian A.	Wilkerson, Dianne —
	38.
NAYS — 0.	

The yeas and nays having been completed at eleven minutes past six o'clock P.M., the amendment was adopted.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 0810-0000, by striking out the figure "26,705,871" and inserting in place thereof the following figure:- "\$25,855,871". After debate, the amendment was *rejected*.

Suspension of Senate Rule 38A.

Mr. Berry moved that Senate Rule 38A be suspended to allow the Senate to continue in session beyond the hour of eight o'clock P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Recess.

There being no objection, at seventeen minutes past six o'clock P.M., at the request of Mr. Tisei, for the purpose of a minority caucus, the President declared a recess; and, at twenty-nine minutes past seven o'clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were further considered as follows:-

The House Bill making appropriations for the fiscal year 2008 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. 4001),-- was further considered, the main question being on ordering it to a third reading.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 1100-1100, by striking out the figure "\$3,826,821" and inserting in place thereof the following figure:- "\$3,529,636". The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 1599-1971, by striking out the item in its entirety. The amendment was *rejected*.

Ms. Chandler moved that the bill be amended, in Section 2, by inserting after item 1750-0119 the following item:

"1750-0142

For a job analysis study of positions of state employees of the executive branch, to be conducted by the human resources division; provided, that the study shall update the current job classification system, including but not limited to class titles, job specifications, organizational relationships, and job qualifications; shall seek to ensure that the job classification system is free of gender and racial discrimination; and shall review the effect of the job classification system on employee pension and benefits, and on the recruitment and retention of employees within the commonwealth.....\$1,300,000"
The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 1108-5200, by adding at the end thereof the following words:- "and provided further, that notwithstanding the provisions of any general or special law to the contrary, the commonwealth shall pay, a refund equal to 50% of the Medicare part B premium, which is paid by any person, who is insured under said chapter 32 and required to pay the Medicare part B premium for the current fiscal year, said payments to be made in whole or in part, from the retiree drug subsidies received under the Medicare Prescription Drug Improvement Act of 2003 (Pub. L No. 108-173) for the current fiscal year". The amendment was *rejected*.

Mr. Tarr moved that the bill be amended, in Section 2, in item 1100-1100, by inserting after the word "systems" in line 29 the following: "and the efficacy of those plans to reduce energy consumption and the impact on the emission of so-called greenhouse gases by the Commonwealth, and (e) strategies by which not less than 50 percent of all vehicles operated by the Commonwealth and its subsidiary secretariats can be fueled by means other than convention fossil fuels by 2010". The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 0511-0260, by adding at the end thereof the following:- " , provided that there shall be made available in Fiscal Year 2008 the balance of \$747,905 of the FY07 appropriation which would

otherwise revert back to the General Fund on June 30, 2007”.
The amendment was *rejected*.

Messrs. Hedlund, Moore, Brown, Knapik, Ms. Spilka, Ms. Chandler, Messrs. Downing, Rosenberg, Augustus, Ms. Resor, Mr. Tarr, Ms. Jehlen, Messrs. Timilty, and Brewer moved that the bill be amended by adding at the end thereof the following new section:-

“SECTION ___ – Notwithstanding any rule, law or regulation to the contrary, the department of state treasurer is hereby authorized and directed to study and prepare an analysis report relating to the drinking water grants provided pursuant to Section 22 of Chapter 78 of the Acts of 1998.

Such analysis shall include but not be limited to the calculation of state drinking water grant subsidies provided pursuant to Section 22 of Chapter 78 of the Acts of 1998 in comparison to the debt issued to fund each respective project and the subsidy that would have been paid under the SRF loan program pursuant to Chapter 29C of the Massachusetts General Laws.

The department shall file its report, together with recommendations to address any inequities in financial assistance, with the House and Senate committees on Ways and Means not later than October 1, 2007.”
The amendment was **adopted**.

Ms. Chandler, Messrs. Augustus, Brewer and Moore moved that the bill be amended, in Section 2, in item 1410-0012, by adding at the end thereof the following: “provided that not less than 150,000 shall be expended for the creation of a veterans outreach center in the City of Worcester”; and in said item, by striking out the figures “\$1,783,222” and inserting in place thereof the figures “\$1,933,222”.
The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus and Brewer moved that the bill be amended, in Section 2, in item 1410-0010, by striking out the words “, provided, that not less than \$10,000 shall be expended for the purpose of maintaining the Massachusetts Vietnam veterans memorial located in the Green Hill park in Worcester” and inserting in place thereof the following words:- “, provided that not less and \$25,000 shall be expended for the purpose of maintaining the Massachusetts Vietnam veterans memorial locate in the Green Hill park in Worcester”; and in said item by striking out the figure “2,142,102” and inserting in place thereof the figure “2,157,102”.
The amendment was **adopted**.

Mr. Baddour moved that the bill be amended, in Section 2, by striking out item 0710-0000 and inserting in place thereof the following item:-

“0710-0000
For the office of the state auditor, including the review and monitoring of privatization contracts in accordance with sections 52 to 55, inclusive, of chapter 7 of the General Laws and shared oversight of the central artery/third harbor tunnel project...\$15,669,516”.
After remarks, the amendment was **adopted**

Mr. Pacheco moved that the bill be amended, in Section 2, in item 1410-0012, by inserting after the word “Framingham” the following:- “provided further that not less than \$50,000 shall be expended for the Middleboro Veterans’ Outreach Center.”
The amendment was **adopted**.

Mr. Timilty moved that the bill be amended, in Section 2, in item 1750-0100, by striking out the figures: “\$4,044,456”, and inserting in place thereof the figures “\$4,147,532”.
The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 1410-0251, by striking out the figure “\$2,276,703” and inserting in place thereof the following figure:- “\$2,526,703”
The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 0526-0100, by adding at the end thereof the following: “; provided further, that \$100,000 shall be expended for the purpose of restoration of the Unity Church in Easton”; and in said item by striking out the figures “1,020,948” and inserting in place thereof the figures “1,120,948”.
The amendment was *rejected*.

Ms. Fargo moved that the bill be amended, in Section 2, in item 1410-0250, by inserting after the words "Veterans Hospice in the town of Fitchburg;" the following: "provided further, that not less than \$399,000 shall be expended for capital improvements, for the purpose to improve services, to the Caritas Communities Bedford Veterans Quarters for homeless veterans at the Veterans Administration in Bedford;" and in said item, by striking out the figure "2,621,930" and inserting in place thereof the figure "3,020,930".

The amendment was *rejected*.

Mr. Berry moved that the bill be amended, in Section 2, in item 1410-0012, by inserting after the words "town of Barnstable;" the following:- "provided further, that not less than \$106,102 shall be obligated for a contract with the North Shore Veterans Counseling Center in the city of Beverly."

After remarks, the amendment was **adopted**.

Mr. Creem moved that the bill be amended by inserting, at the end, the following new Section:-

"SECTION ____ . Section 146 of chapter 204 of the Acts of 1996, as so appearing, is amended in paragraph (g) by striking the word "ten" and inserting in place thereof the word "twenty"."

After remarks, the amendment was **adopted**.

Messrs. Augustus, Montigny and Ms. Chandler moved that the bill be amended, in Section 2, in item 0940-0100, by striking out the figure "\$2,287,160" and inserting in place thereof the following figure:- "2,421,240".

The amendment was *rejected*.

Mr. Baddour Ms. Spilka, Ms. Candaras, Messrs. Tarr, Antonioni, Augustus, Jr., Barrios, Havern, Morrissey, Montigny, Moore, and Ms. Tucker moved that the bill be amended, in Section 2, in item 3000-7000, by striking "\$12,563,844" and inserting in place thereof the following figure:- "\$12,763,844".

The amendment was **adopted**.

Mr. McGee moved that the bill be amended by adding after Section 13 the following sections: -

SECTION 13 A. Section 4 of Chapter 32 is hereby amended by striking out in subdivision (1) in lines 88, 181, 191, 200, 223, 234, 242, 251, 267, and in subdivision (2) paragraph (c) in lines 451, the words "regular interest" and inserting in place thereof the words:- "buyback interest".

SECTION 13B. Section 4 of Paragraph (r) of subdivision (1) of Chapter 32, as so appearing is hereby amended by adding, in line 352, after the words "would have otherwise paid into the retirement system" the following words "plus buyback interest thereon",

SECTION 13C. Clause (a) of Section 105 of chapter 32, as inserted by Section 88 of Chapter 149 of the Acts of 2004, is hereby amended in lines 5 and 6 by striking, the words "actuarial assumed interest thereon" and inserting in place thereof the following words:- buyback interest.

The amendment was **adopted**.

Mr. McGee moved that the bill be amended by adding at the end thereof the following section:-

SECTION . There shall be a special commission to study the prospective application of the mortality table and interest rate, established by the public employee retirement administration commission pursuant to section 336 of chapter 47 of the Acts of 2004, to the retirement allowances of members, who retired, under the terms of Option C of section 12 of Chapter 32, before July 1, 2004. The commission shall consist of: the chairs of the joint committee on public service, the chairs of the state employees and teachers' retirement boards or their designee and a representative of the retired state, county and municipal employees association of Massachusetts. The public employee retirement administration commission shall provide the special commission with such analysis of the costs and actuarial liabilities, associated with the study, as directed by the special commission. The special commission shall report to general court the results of its study and its recommendations, if any, together with drafts of legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the senate and the house of representatives on or before December 1, 2007.

The amendment was *rejected*.

Ms. Menard and Mr. Brown moved that the bill be amended, in Section 2, in item 1410-0012, by inserting after the words, "Berkshire County;" the following words: "Provided further, that not less than \$100,000 shall be expended for the Veterans

Association of Bristol County in Fall River”.
After remarks, the amendment was **adopted**.

Messrs. Tarr, Downing, McGee, Tisei, and Baddour moved that the bill be amended by striking out Section 38 and inserting in its place the following:-

SECTION 38. Item 1599-2005 of section 2A of chapter 81 of the acts of 2005, as amended by section 10 of chapter 192 of the acts of 2006, is hereby further amended by adding the following words:- ; provided further, that in addition to said purposes, funds may be used to meet the costs associated with the flood emergencies beginning on May 14, 2006 in the counties of Essex, Middlesex, Norfolk, Suffolk and Worcester, and in October 2005 in the counties of Berkshire, Franklin, Hampden, Hampshire, and Worcester; provided further, that not less than \$6,800,000 shall be expended to certain municipalities and eligible private non-profit organizations in areas declared federal disaster areas in the counties of Essex, Middlesex, Norfolk, Suffolk and Worcester for the purpose of providing emergency disaster relief related to damages associated with the flooding of May, 2006; provided further, that not less than \$1,000,000 shall be expended to certain municipalities and eligible private non-profit organizations in areas declared federal disaster areas in the counties of Berkshire, Hampden, Hampshire, Franklin, and Worcester for the purpose of providing emergency disaster relief related to damages associated with the flooding of October, 2005; provided further, that the relief shall be in the amount of 25 per cent of the total damage as certified by the Massachusetts emergency management agency; provided further, that not less than \$1,680,000 shall be expended to Danvers for the purpose of providing relief related to damages associated with the chemical plant explosion on November, 22, 2006; and provided further, that the funds appropriated herein shall be made available until June 30, 2008.

After remarks, the amendment was **adopted**.

Messrs. Barrios, Downing, Augustus, Pacheco, Havern, Brewer, Knapik, Joyce, Brown, Tisei and Ms. Tucker moved that the bill be amended, in Section 2, in item 1599-6901, in line 15, by inserting after the following words “amount appropriated herein” the following words: “and provided further, that the raises provided through this item shall be in addition to any already agreed to or collectively bargained pay increases”.

The question on adoption of the amendment was determined by a call of the yeas and the nays at three minutes before eight o'clock P.M., on motion of Mr. Barrios, as follows, to wit (yeas 38 - nays 0) **[Yeas and Nays No. 30]**:

Joyce, Brian A.	Wilkerson, Dianne —
	38.
NAYS — 0.	

The yeas and nays having been completed at one minute past eight o'clock P.M., the amendment was adopted.

Mr. Creedon moved that the bill be amended that the bill be amended by inserting after Section ____, the following new Section:-

SECTION ____. Chapter 183 of the acts of 2004 is hereby amended in section one by inserting after the words “public safety facility;” the following:- “or a council on aging /senior /recreational facility”.

The amendment was **adopted**.

Ms. Menard moved that the bill be amended by inserting, after Section 30 the following section: -

“SECTION 30A. Section 9 of chapter 151B of the General Laws, as so appearing is hereby amended by adding the following paragraph: -

Interest awarded by the commission or a court pursuant to section 5, or a by court under this section, shall be calculated at an annual rate equal to the weekly average one-year constant maturity treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date on which the award is made, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date on which the award is made, and shall be calculated from the date the claim was filed in the tribunal, whether commission or court, that enters the award; provided, however, that such interest shall not exceed the rate of 10 per cent per annum. Post-judgment or post-award interest shall be calculated in the same manner but applying the weekly average rate for the calendar week preceding the date on which the judgment or award is entered by the tribunal. No interest awarded hereunder shall be compounded.” ; and by inserting, after Section 82, the following section:-

“SECTION 82A. Section 30 shall apply to all pending actions filed pursuant to section 5 of chapter 151B of the General Laws and to any actions filed pursuant to said section 5 of said chapter 151B on or after the effective date of this act.”

The amendment was **adopted**.

Messrs. Tarr, Tisei, Knapik, Hedlund, Brown, Ms. Resor, and Messrs. O'Leary and Baddour moved that the bill be amended by inserting, after Section 83, the following new Section: -

“Section 84. There is hereby established a special commission to study the provisions of Chapter 40A of the General Laws as they relate to the planning and production of housing, economic development and the character of municipalities in the Commonwealth.

Said commission shall consist of the Secretary of the Housing and Economic Development or his designee, who shall serve as its chair, the Undersecretary for Housing and Community Development or her designee, the Secretary of Energy and Environmental Affairs or his designee, the Attorney General or her designee, three members of the Senate to be appointed by the Senate President, provided that one shall be of the minority party, and one shall be the chair of the Joint Committee on Environment, Natural Resources, and Agriculture, three members of the House of Representatives to be appointed by the Speaker, provided that one shall be a member of the minority party, and one shall be the chair of the Joint Committee on Environment, Natural Resources, and Agriculture, and not more than twenty-six members to be appointed by the Secretary, provided that at least two shall represent the Citizens Housing and Planning Association, at least two shall be members of the American Association of Planners, MA Chapter, at least one shall be a member of the zoning reform working group, at least two shall represent builders of housing in the Commonwealth, at least three shall represent elected local officials from towns in the Commonwealth, at least two shall represent elected officials from cities in the Commonwealth, at least two shall represent appointed planning board members in the Commonwealth, at least one shall represent another appointed local official, at least one shall represent the Real Estate Bar Association, at least three shall represent realtors in the Commonwealth, one of which shall represent the Greater Boston Real Estate Board, and one of which shall represent the Massachusetts Association of Realtors, at least one shall represent the National Federation of Independent Business, at least one shall represent the Associated Industries of Massachusetts, at least one shall represent the Massachusetts High-Tech Council, at least one shall represent the Massachusetts municipal association, at least one shall represent the Environmental League of Massachusetts, at least one shall represent the Massachusetts Audubon society, and at least one shall represent another environmental organization in the Commonwealth.

Said commission shall review all of the provisions of Chapter 40A and determine whether or not changes are necessary in order to facilitate the increased planning and production of appropriate housing of type and density, the preservation of open space and other natural and historic resources, the creation of housing necessary to expand and sustain the workforce of the Commonwealth, the streamlining of the regulatory process pursuant to Chapter 40A so as to avoid unproductive cost and delay, and to foster the long-term prosperity of the Commonwealth.

Said commission may include in its considerations the expanded or modified use of such mechanisms as cluster development, open space residential design, transferable development rights, or others as it may deem appropriate.

Said commission shall report its findings, together with any legislative recommendations resulting from those findings, with the Clerks of the House and Senate, the Joint Committee on Housing, the Joint Committee on Municipalities and Regional Government, the Joint Committee on Economic Development and Emerging Technology and the House and Committees on Ways and Means no later than twelve months following the passage of this act.

After remarks, the amendment was **adopted**.

There being no objection, the following amendments were considered as one and were adopted, to wit:

Ms. Walsh moved that the bill be amended by inserting, after Section____, the following new Section:-

“SECTION ____ . Notwithstanding any other general or special law to the contrary, and effective June 28, 1984, Patricia M. Walsh of 19 Jonathan Street in New Bedford, Massachusetts shall be eligible for the insurance benefits made available to the divorced or separated spouses of an employee or retiree who has such health insurance or coverage as provided in section 11A of chapter 32A.”

The amendment was **adopted**.

Mr. Havern and Ms. Jehlen moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following: “provided further that \$10,000 shall be expended for the Woburn Residents’ Environmental Network to help protect natural resources and promote public health”; and in said item, by striking out the figures “\$5,451,481” and inserting in place thereof the figures “\$5,461,481”.

The amendment was **adopted**.

Mr. Joyce moved that the bill be amended, in Section 2, in item 2800-9004, by striking out the figure “\$375,000” and inserting in place thereof the following figure:- “\$425,000”.

The amendment was **adopted**.

Ms. Menard, Mr. Knapik, Ms. Tucker, Messrs. Rosenberg, Brewer, Downing and Tarr moved that the bill be amended, in Section 2, in item 2511-0100, by striking out the words “provided further, that funds may be expended for the Southeastern Massachusetts Agricultural Partnership” and inserting in place thereof the following words:- “provided further, that not less than \$200,000 shall be expended to enhance the buy local effort in western, central, northeastern, and southeastern Massachusetts”; and in said item, by striking out the figures “\$4,692,183” and inserting in place thereof the figures “\$4,892,183”.
The amendment was **adopted**.

Mr. Joyce moved that the bill be amended by inserting after SECTION ____, the following new Section: -

“SECTION ____ Notwithstanding any general or special law to the contrary, the department of conservation and recreation may enter into a lease agreement or agreements with the town of Randolph for property currently under the care and control of the department, the land adjacent to the existing athletic fields off High Street near the former Nike Missile site in the town of Randolph. The term of any such lease agreement shall be for not less than 10 years, with an option to renew for up to 10 additional years. The use of said property shall include, but not limited to, athletic fields or the establishment of a wind farm, and shall be at the town’s discretion. The town shall pay a nominal consideration for said lease. Any such lease agreement shall require that all costs, fees and expenses relating to the care and maintenance of such property shall be paid in full by the lessee and other such terms and conditions as the department may require.”
The amendment was **adopted**.

Mr. McGee moved that the bill be amended, in Section 2, in item 2800-0101, by adding the following wording: ; and provided further that \$40,000 shall be expended for aquatic nuisance control in Sluice Pond and Flax Pond in the city of Lynn”; and in said item, by striking out the figures “\$1,986,548” and inserting in place thereof the figures “\$2,026,548”.
The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 2200-0100, by adding at the end thereof the following:- “provided further, that \$168,000 shall be expended for sediment control in Lake Webster;” and in said item, by striking out the figure “\$33,778,004” and inserting in place thereof the following figure:- “\$33,946,004 “.
The amendment was **adopted**.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 2000-0100 provided further, that “\$100,000 shall be expended for the Executive Office of Energy and Environmental Affairs for work on Plymouth-Carver Aquifer Plan.”
The amendment was **adopted**.

Mr. Baddour moved that the bill be amended by inserting, after Section 7, the following new section:-

“SECTION 7A. Notwithstanding any general or special law to the contrary, the Department of Conservation and Recreation shall implement and develop a short term response protocol and long term disaster relief management plan to address the effects of coastal erosion on Salisbury Beach. Said plan shall be filed annually with the House and Senate Committees on Ways and Means as well as the Joint Committee on Environment, Natural Resources and Agriculture within 90 days of passage of this act.”
The amendment was **adopted**.

Ms. Resor, Ms. Tucker and Mr. Barrios moved that the bill be amended by inserting, after Section 10, the following new Section:-

“Section __. Chapter 21E of the General Laws is hereby amended by inserting the words “or Commonwealth Executive Office of Transportation” after “Authority” wherever it appears in the definition of “Economically distressed area” and in clauses (a)(10), (d)(1) and (d)(3)(F) of the definition of “‘Owner’ or ‘Operator’” in Section 2; and provided further that Section three I of Chapter 23A of the General Laws is hereby amended by adding the word “such” after the words “construction of” in line 1; substituting the words “the Massachusetts Bay Transportation Authority, the executive office of transportation and construction, or any person having an interest in the rail-trail project site” for the words “any person, authority or governmental entity” in line 3; moving the words “as those terms are defined in chapter 21E,” so that they appear after the words “hazardous materials,” in line 6; and changing the word “its” to the word “the” in line 6, so that the paragraph as amended reads:

(b) Unless specifically required by federal law in connection with any grant for construction of such a rail-trail, a municipality that has applied for and received a grant and has purchased the environmental insurance as described in subsection (a) shall not be required to furnish to the Massachusetts Bay Transportation Authority, the executive office of transportation and construction, or any person having an interest in the rail-trail project site, any other form of environmental insurance, or any defense, indemnification or hold harmless agreement with respect to any claims, injuries, costs, damages or other relief arising out of or related to the pre-existing release or threat of release of oil or hazardous materials, as those terms are defined in chapter 21E, at or from the project site in connection with the design, acquisition, construction, use or maintenance of the rail-trail for which the application is made.; And provided further that Section three I of Chapter 23A of the General Laws is hereby amended by adding

the following sentence at the beginning of paragraph (c):

The provisions of this section shall only apply to rail-trail projects on land in which a city or town acquires or has acquired an interest by deed, easement, lease, license or otherwise, from the Massachusetts Bay Transportation Authority or the executive office of transportation and construction or either's successor agency for purposes of the design, installation, construction, operation, maintenance and/or use of a rail-trail, defined in section 2 of chapter 21E."

The amendment was **adopted**.

Messrs. Brewer, Moore and Knapik moved that the bill be amended, in Section 2, in item 2511-0100, by striking the words "provided further, that funds may be expended for agricultural fair prizes and rehabilitation, including the expenses of the agricultural lands board" and inserting in place thereof the following words:- "provided further, that not less than \$50,000 shall be expended for agricultural fair prizes and rehabilitation, including the expenses of the agricultural lands board"; and in said item by striking out the figures "\$4,692,183" and inserting in place thereof the figures "4,742,183".

The amendment was **adopted**.

Messrs. Tarr, O'Leary and Montigny moved that the bill be amended, in Section 2, in item 2330-0100, by adding at the end thereof the following: "provided further, that the division shall develop a strategy for the sustainable and commercially practicable harvest of dogfish, so-called, by the Commonwealth's commercial fishing industry"; and in said item, by striking out the figures "\$4,794,365" and inserting in place thereof the figures "\$4,966,481".

The amendment was **adopted**.

Mr. Baddour moved that the bill be amended by inserting, after Section _____. the following new Section: -

"SECTION _____. In the event of an emergency disaster declaration by the Governor of the Commonwealth of Massachusetts, the department of conservation and recreation shall, within forty-eight hours of said declaration, suspend 310 CMR 10.27(3) and also the preamble of the coastal beach regulation at 310 CMR 10.27(1) to allow for the use of mechanical equipment for the purpose of grooming and preserving Salisbury Beach from further coastal erosion. This suspension may be repealed after grooming and replenishment have been satisfactorily completed."

Pending the question on adoption of the amendment, Mr. Tarr moved that the amendment (Baddour) be amended by adding, after the words "Salisbury Beach", the following words:- "and the beach and dune systems of Plum Island in the City of Newburyport and the town of Newbury".

The further amendment was **adopted**.

The pending amendment (Baddour), as amended (Tarr) was then **adopted**.

Mr. Brewer moved that the bill be amended, in Section 2, in item 7007-0900, provided further, that not less than \$8,000 shall be expended for the Friends of the Quabbin, Inc."; and in said item, by striking the figures "\$17,346,265" and inserting in place thereof the figures "\$17,354,265".

The amendment was **adopted**.

Mr. Brewer moved that the bill be amended, in Section 2, in item 7007-0900, provided further, that \$10,000 shall be expended to the Templeton Historical Society in the Town of Templeton"; and in said item, by striking the figures "17,346,265" and inserting in place thereof the figures: "17,356,265".

The amendment was **adopted**.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: "provided that not less than \$50,000 shall be expended for Framingham Downtown Renaissance economic, tourism and cultural development programs"; and in said item, by striking out the figure "\$17,346,265" and inserting in place thereof the figure "\$17,396,265".

The amendment was **adopted**.

Mr. Brown moved that the bill be amended, in Section 2, in item 7007-0900 by adding at the end thereof the following: "provided further, that not less than \$40,000 shall be expended for a crime prevention program in the town of North Attleboro"; and in said item by striking out the figure "\$17,346,265," and inserting in place thereof the figure "\$17,386,265."

The amendment was **adopted**.

Ms. Tucker moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following: "provided further, that not less than \$50,000 shall be expended to provide employment, training and job placement by the New Skills Academy in Lawrence"; and in said item, by striking out the figure "\$7,723,000" and inserting in place thereof the figure "\$7,773,000".

The amendment was **adopted**.

Ms. Tucker moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that \$200,000 be expended for senior mental health and wellness programs in the town of Tewksbury”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,546,265”.
The amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for Battleship Cove in Fall River in order to assist the commonwealth’s official World War II and 9/11 memorials educational and tourism endeavors”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.
The amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that not less than \$185,000 shall be expended for the International Trade Assistance Center in Fall River”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “17,531,265”.
The amendment was **adopted**.

Mr. McGee moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that not less than \$50,000 shall be expended to RAW Arts, Inc. in the city of Lynn to facilitate youth expansion programs approved by the Board of Directors of said organization”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.
The amendment was **adopted**.

Mr. Hart moved that the bill be amended by inserting after section 46, the following sections:-
SECTION 4A. Subsection (a) of section 16G of chapter 6A, as recently amended in section 6 of chapter 19 of the acts of 2007, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- In the executive office of housing and economic development, there shall be a department of business development, a department of consumer affairs and business regulation, and a department of housing and community development.; and further moves that the bill be amended by inserting after section 74, the following section:-
SECTION 74A. Notwithstanding any general or special law to the contrary, the terms “director of business and technology” or “director of economic development”, wherever they appear in the general and special laws, shall be deemed to mean “undersecretary of business development”.
The amendment was **adopted**.

Mr. Hart moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that not less than \$50,000 shall be expended for ROCA Inc. for programs in Bowdoin/Geneva and the Upham’s Corner/North Dorchester sections of Boston;” and in that item striking out the figures \$17,346,265 and inserting in place thereof the figures \$17,396,265.
The amendment was **adopted**.

Messrs. Joyce and Hart moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; provided further that not less than \$100,000 shall be expended for the Head of the Charles Regatta”; and in said item by striking out the figure “\$17,346,265” and inserting in place thereof the figure “\$17,446,265”.
The amendment was **adopted**.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; provided further that not less than \$200,000 to the Massachusetts Lodging Association for the continuation of the publication Massachusetts Great Escapes that markets Massachusetts as a tourism destination throughout the northeast region of the country”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figure “\$17,546,265”.
The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following:- “provided further that not less than \$50,000 shall be expended to create a post-secondary nursing degree and certification program at the Blackstone Valley Vocational Regional School in partnership with Quinsigamond Community College;” and in said item, by striking out the figure ““\$7,723,000” and inserting in place thereof the following figure:- “\$7,773,000”.
The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following:- “provided further that not less than \$15,000 shall be expended as a grant to the town of Hopedale to support its Draper Mill Re-Use Project;” and in said item, by striking out the figure “\$7,723,000” and inserting in place thereof the following figure:- “\$7,734,000”.
The amendment was **adopted**.

Ms. Tucker and Mr. Brown moved that the bill be amended, in Section 2, in item 7004-9315, by striking out the figure “\$2,200,000” and inserting in place thereof the following figure:- “\$2,334,014”.

The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “provided that not less than \$50,000 shall be provided to the Claflin Hill Symphony Orchestra;” and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:- “\$17,396,265”.

The amendment was **adopted**.

Mr. Baddour moved that the bill be amended, in Section 2, in item 7061-9404, by adding at the end thereof the following: “that not less than \$75,000 shall be expended for Link Services at the Pettengill House in Salisbury to provide advocacy counseling, referrals, emergency assistance and prevention education programs to the children and families of both Triton Regional and Amesbury Public Schools”; and in said item, by striking out the figures “\$11,604,139” and inserting in place thereof the figures “\$11,679,139”.

The amendment was **adopted**.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “ provided further, that not less than \$50,000 shall be expended for the Mansfield Music and Arts Society”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,396,265”.

The amendment was **adopted**.

Ms. Candaras, Messrs. Buoniconti and Joyce moved that the bill be amended, in Section 2, in item 7007-0900 by adding at the end of thereof the following: “provided that not less than \$50,000 be expended on the Springfield Symphony Orchestra” ; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,396,265”.

The amendment was **adopted**.

Ms. Jehlen and Mr. Barrios moved that the bill be amended, in Section 2, in item 7004-3036 by adding at the end thereof the following:- “provided further that \$141,000 in funds be expended for the Just A Start Corporation to administer a housing stabilization and conflict management services program to prevent homelessness”; and in said amendment by striking out the figures “1,680,925” and inserting in place thereof the following figures “1,821,925”.

The amendment was **adopted**.

Ms. Candaras moved that the bill be amended, in Section 2, in item 7003-0702, by striking the following words: “provided further, that not less than \$125,000 shall be expended for a new job training initiative by Cape Cod Healthcare and other health care institutions participating in the 1199 SEIU Training and Upgrading Fund” and inserting in place thereof the following words: “provided further, that not less than \$125,000 shall be expended for the 1199SEIU Training and Upgrading Fund to provide a job training initiative for participating health care institution”.

The amendment was **adopted**.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 7007-0900, by inserting at the end thereof the following:- “provided further, that not less than \$50,000 shall be expended by the Massachusetts Sports and Entertainment Commission for support of film festivals on the Cape and Islands”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,396,265”.

The amendment was **adopted**.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 7003-0702, by inserting at the end thereof the following;- “provided further, that not less than \$15,000 shall be expended to WE CAN of Cape Cod for workforce training and career mentoring for women in transition”; and in said item, by striking out the figures “7,723,000” and inserting in place thereof the figures “\$7,738,000”.

The amendment was **adopted**.

Mr. Berry moved that the bill be amended, in Section 2, in item 7002-0700, by striking out the figure “\$526, 056” and inserting in place thereof the following figure:- “538,126”.

The amendment was **adopted**.

Ms. Fargo moved that the bill be amended, in Section 2, in item 7003-0702, by inserting after the words “1199 SEIU Training and Upgrading Fund;” the following: “provided further, that not less than \$50,000 shall be made available to More Than Words in the city of Waltham for the purpose of expanding operations to an additional city to be determined in consultation with the commissioner;” and in said item, by striking the figure “7,723,000” and inserting in place thereof the figure “7,773,000”.

The amendment was **adopted**.

Ms. Resor moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “;

provided that not less than \$25,000 shall be expended for the Freedom's Way Heritage Commission"; and in said item by striking out the figures "\$17,346,265" and inserting in place thereof the figures "17,371,765".

The amendment was **adopted**.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: "provided further, that not less than \$250,000, subject to a 100 per cent matching fund, shall be available for the Berkshire Economic Development Corporation"; and in said item, by striking out the figures "17,346,265" and inserting in place thereof the figures "\$17,596,265".

The amendment was **adopted**.

Ms. Resor moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- "; provided further that not less than \$10,000 shall be expended for the Nashoba Valley Chamber of Commerce for an informational kiosk"; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the figures "\$17,356,265".

The amendment was **adopted**.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: "provided further, that not less than \$20,000 shall be expended to the Berkshire Theater Festival in Stockbridge"; and in said item, by striking out the figures "17,346,265" and inserting in place thereof the figures "\$17,366,265".

The amendment was **adopted**.

Messrs. Creedon, McGee and Augustus and Ms. Chandler moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: "and provided further that no less than \$50,000 of the amount appropriated herein shall be expended for the operation and administration of the Commonwealth Cup a series within the Canadian-American Association of Professional Baseball"; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the figures "\$17,396,265".

The amendment was **adopted**.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 7003-0702, in line 9 by inserting after "Somerville;" the following, "provided further that not less than \$50,000 shall be expended to Inquilinos Boricuas en Accion (IBA) for the Pathways to Technology Initiative;".

The amendment was **adopted**.

Ms. Walsh , Mr. Knapik and Ms. Tucker moved that the bill be amended, in Section 2, in item 7004-9317 by striking out the figure "\$500,000" and inserting in place thereof the following figure:- "\$600,000".

The amendment was **adopted**.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 7007-0900, by inserting after the words "Louis D. Brown Peace Institute;" the following:- "provided that, not less than \$30,000 shall be expended for the Northampton Chamber of Commerce to support the marketing and planning of cultural tourism and related hospitality industry events in the city of Northampton;".

The amendment was **adopted**.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 7007-0900, by striking out the following:- "provided further, that not less than \$50,000 shall be expended as a grant for the Pioneer Valley Visitors and Tourist Information Center;" and inserting in place thereof the following:- "provided further, that not less than \$80,000 shall be expended as a grant for the Pioneer Valley Visitors and Tourist Information Center;".

The amendment was **adopted**.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 7007-0900 by adding at the end thereof the following:- "provided further, that not less than \$9,000 shall be expended for operating expenses for the Route 195 Visitor Information Center in Wareham;".

The amendment was **adopted**.

Ms. Fargo moved that the bill be amended, in Section 2, in item 7007-0900, by inserting after the words "Cape Cod Economic Development Council;" the following: "provided further, that not less than \$75,000 shall be appropriated to the Waltham Tourism Council;" and in said item, by striking out the figure "\$17,346,265" and inserting in place thereof the figure "17,421,265".

The amendment was **adopted**.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7003-0702 by inserting in the last line after "Gardner" the following:- "Provided further, that not less than \$50,000 shall be expended for the Massachusetts Latino Chamber of Commerce in the city of Springfield;" and in said item by striking the figure "\$7,723,000" and inserting in place thereof the figures "\$7,773,000".

The amendment was **adopted**.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 7007-0900 by inserting at the end thereof the following:- “provided further, that not less than \$100,000 shall be expended for the operation of Discover Quincy”; and in said item by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.

The amendment was **adopted**.

Ms. Chandler moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided that \$35,000 shall be expended for a public safety grant in the town of Berlin”; and in said item, by striking out the figure “17,346,265” and inserting in place thereof the figure “17,381,265”.

The amendment was **adopted**.

Ms. Chandler moved that the bill be amended, in Section 2, in item 7004-0099 by striking the words “, provided further, that not less than \$50,000 shall be expended for the Pleasant Street Neighborhood Network Center in the city of Worcester” and inserting in place thereof the following words:- “; provided further, that not less \$100,000 shall be expended for the Pleasant Street Neighborhood Network Center in the city of Worcester.”; and in said item, by striking out the figure “8,520,831” and inserting in place thereof the figure “8,570,831”.

The amendment was **adopted**.

Mr. Tisei moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “provided further, that \$375,000 shall be expended for the promotion of the performing arts in the town of Wakefield;” and by striking out the figure “\$17,346,265” and inserting in place thereof the figure “\$17,721,265”.

The amendment was **adopted**.

Mr. Knapik moved that the bill be amended, in Section 2, in item 7003-0605, by adding the following:- “provided that \$75,000 shall be made available for the Regional Employment Board of Hampden County for a pilot program for precision machining training;” and in said item, by striking out the figures \$850,000” and inserting in place thereof the figures “\$925,000”.

The amendment was **adopted**.

Mr. Antonioni moved that the bill be amended by adding the following new Section: -

“SECTION . Chapter 110 of the acts of 1993 is hereby amended by striking out section 317 and inserting in place thereof the following section:-

Section 317. Notwithstanding the definition of “Teacher” in section 1 of chapter 32 of the General Laws, any person who is employed as a teacher at the Massachusetts Academy of Math and Science on a basis of not less than half-time service shall either select the Worcester Polytechnic Institute retirement plan as defined by the institute or be a member of the teachers’ retirement system and shall be subject to said chapter 32.”

The amendment was **adopted**.

Messrs. Antonioni Brown and Tarr moved that the bill be amended, in Section 2, in item 7061-9400, by adding at the end thereof the following:- “and provided further, that the department of education shall issue a report, not later than January 15, 2008, on the feasibility and costs associated with non-public school students in grade 10 voluntarily taking the MCAS exam at a non-public school site to solely qualify for the John and Abigail Adams Scholarship program administered by the Board of Higher Education; and provider further, that said report shall be provided to the secretary of administration and finance, the chairs of the house and senate ways and means committees, the house and senate chairs of the joint committee on education and the house and senate chairs of the joint committee of higher education.”

The amendment was **adopted**.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7061-9404, by adding at the end thereof the following: “provided that not less than \$30,000 be expended for the Resiliency for Life Program in the Framingham Public Schools”; and in said item, by striking out the figure “\$11,604,139” and inserting in place thereof the figure “\$11,634,139”.

The amendment was **adopted**.

Mr. Barrios moved that the bill be amended, in Section 2, in item 7061-9404, by adding at the end thereof the following:- “; provided further, that \$75,000 shall be expended for WhizKids Foundation, Inc.”; and in said item, by striking the figure “\$11,604,139” and inserting in place thereof the figure “\$11,679,139”

The amendment was **adopted**.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7061-9404, by adding the following: “; provided that notwithstanding any eligibility requirements herein, \$150,000 shall be expended for a pilot program operated by the Randolph Public Schools to provide educational services to students that require additional assistance to become academically proficient; provided further that said pilot program may use a multi-cultural approach and provide opportunities for community service and relationship building” and in said item, by striking out the figure “\$11,604,139” and inserting in place thereof the figure

“\$11,754,139”.

The amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 7061-9634, by adding at the end thereof the following: “provided further, that not more than \$225,000 shall be expended for Camp Coca Cola New England to provide under-served youth development services with an emphasis on leadership training and community service”.

The amendment was **adopted**.

Ms. Jehlen moved that the bill be amended, in Section 2, in item 7027-0016 at the end by adding the following:- “provided further that not less than \$75,000 shall be expended for Junior Achievement of Eastern Massachusetts”.

The amendment was **adopted**.

Mr. McGee moved that the bill be amended, in Section 2, in item 7061-9404 by adding at the at the end thereof the following: “provided further that \$15,000 shall be expended for the Lynn At-Risk Youth” and in said item, by striking out the figures “\$11,604,139” and inserting in place thereof the figures “11,619,139”.

The amendment was **adopted**.

Mr. McGee moved that the bill be amended by adding the following new sections:-

Section XX. Item 9700-0100 of Section 2 of Chapter 45 of the Acts of 2005, as amended by Section 5 of Chapter 16 of the Acts of 2007, is hereby further amended by striking out the words, “September 1, 2007” and inserting in place thereof the following words:- October 15, 2007

Section XX. Said item 9700-0100 of Section 2 of Chapter 45 of the Acts of 2005, as amended by Section 6 of Chapter 16 of the Acts of 2007, is hereby further amended by striking out the words, “October 15, 2007” and inserting in place thereof the following words:- December 1, 2007

Said item 9700-0100 of said section 2 of said Chapter 45, is hereby further amended by striking out the words “and provided further, that for the purpose of the programs appropriated funds may be expended through October 15, 2007” inserted by section 7 of Chapter 16 of the acts of 2007, and inserting in place thereof the following words:- and provided further, that for the purpose of the programs, appropriated funds may be expended through December 1, 2007.

The amendment was **adopted**.

Mr. McGee and Ms. Wilkerson moved that the bill be amended, in Section 2, in item 7061-9404, by adding the following: “provided further, that not less than \$100,000 shall be expended for a pilot program operated by a non-profit organization, staffed by certified teachers and college aged tutors, to provide after school and summer educational services to students in low-income urban communities that require additional assistance to become academically proficient; provided further that said pilot shall provide student instruction for two and half hours in core curricula such as math and literacy using a multi-cultural approach and shall provide opportunities to work with tutors on homework, community service, team self-esteem and relationship building”; and in said item, by striking out the figures “\$11,604,139” and inserting in place thereof the figures “\$11,704,139”.

The amendment was **adopted**.

Ms. Spilka moved that the bill be amended, in Section 2, in item 3000-4050, by striking out the words “parents receiving supplemental security income and whose dependent children receive the aid” and inserting in place thereof the following words:- “parents or other relatives receiving supplemental security income or otherwise not receiving the aid but whose dependent children receive the aid”.

The amendment was **adopted**.

Messrs. Montigny, Moore and Barrios moved that the bill be amended, in Section 2, in item 7035-0002, by adding at the end the following: “; provided further, that not less than \$200,000 shall be expended by the Massachusetts Foundation for the Humanities in the city of Northampton for an adult education program”; and in said item, by striking out the figures “\$28,101,348” and inserting in place thereof the figures “\$28,301,348”.

The amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 3000-3050, by striking out the phrase: “provided further, that active cases shall not include foster care vouchers or contracts;”.

The amendment was **adopted**.

Messrs. Antonioni, Brewer and Moore, Ms. Spilka and Mr. Tarr moved that the bill be amended, in Section 2, in item 7027-0016, by adding at the end thereof the following:- “and provided further that not more than \$942,191 shall be allocated to Jobs for Bay State Graduates”.

The amendment was **adopted**.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7061-9404, by inserting at the end thereof the following:- "provided further that \$50,000.00 shall be expended for the Astro Park at Barnstable High School"; and in said item, by striking out the figures "\$11,604,139" and inserting in place thereof the figures "\$11,654,139".

The amendment was **adopted**.

Mr. Barrios, Ms. Chandler, Ms. Augustus, Ms. Spilka, Ms. Resor, Mr. Antonioni and Ms. Creem moved that the bill be amended, in Section 2, in item 7010-0005, by striking out the figure "\$150,000" and inserting in place thereof the following figure: - "\$200,000" for programming to ensure public schools' compliance with the board of education's recommendations for the support and safety of gay and lesbian students and the implementation of related suicide-prevention and violence-prevention efforts and by striking "\$13,747,895" and insert in place thereof the following figure:- \$13,797,895.

The amendment was **adopted**.

Mr. Berry moved that the bill be amended, in Section 2, in item 4800-0038, by inserting after the words "Massachusetts Families for Kids;" the following:- "provided further, that not less than \$300,000 shall be expended for a statewide contract with Northeastern University for violence prevention and conflict resolution program;" and in said item, by striking out the figures "\$51,554,725" and inserting in place thereof the figures "\$51,854,725".

The amendment was **adopted**.

Messrs. Creedon, Morrissey, Montigny and Timilty, and Ms. Menard moved that the bill be amended, in Section 2, in item 7027-0016, by adding at the end thereof the following: "provided further, that not less than \$50,000 be expended for My Turn, Inc. for the purpose of school to work activities, connecting to college activities and youth workforce development activities"

The amendment was **adopted**.

Mr. Tolman moved that the bill be amended by inserting, after Section 85, the following new Section:-

SECTION 86: Notwithstanding any general or special law to the contrary, the department of education shall require that all school districts when completing individualized educational plans for students age 16 or older shall explicitly inform the parents or guardians of any student who will be eligible for an individualized educational plan about plans to transition said student to an individualized service plan at the age of 22 or upon graduation including planning specific goals and measurable objectives regarding transition from educational services to adult services as defined in applicable federal laws. The department of education shall report annually to the joint committee on education, arts, and humanities on the compliance of local school districts in incorporating such federally mandated transition planning."

The amendment was **adopted**.

Messrs. Antonioni, Augustus and Brown moved that the bill be amended, in Section 2, in item 7030-1002, by striking out the figure "\$2,000,000" and inserting in place thereof the following figure:- "\$6,000,000".

The amendment was **adopted**.

Mr. Antonioni moved that the bill be amended, in Section 2, in item 7061-0012, by striking out the words:-"provided further, that not less than \$800,000 shall be expended for the costs of borrowing audiotaped textbooks by special needs students whose disabilities include, but shall not be limited to, blindness, visual impairments, learning disabilities such as dyslexia, or physical disabilities such as cerebral palsy that limit the use of standard print; provided further, that of this \$800,000, \$400,000 shall be expended for the purposes of outreach and training for teachers, students and parents, \$200,000 of which shall be targeted toward underserved communities in Barnstable, Bristol and Plymouth counties; provided further, that of this \$800,000, not less than \$25,000 shall be expended for the continuation of a pilot program for Recording for the Blind and Dyslexic to provide the tenth grade math and English learning arts MCAS tests in audio digital format;" and inserting in place thereof the following:- "provided further, that \$800,000 shall be expended for Recording for the Blind and Dyslexic to provide books in accessible synthetic audio format made available through the federal NIMAS-NIMAC book repository, to do outreach and training of teachers and students for the use of NIMAS-NIMAC and human speech audio digital textbooks, and for human voice recording of MCAS exams; provided further, that \$200,000 of the \$800,000 shall be targeted toward underserved communities in Barnstable, Bristol and Plymouth counties;"

The amendment was **adopted**.

Messrs. Brewer, Moore and Tarr, Ms. Resor, Ms. Spilka and Mr. Brown moved that the bill be amended, in Section 2, in item 7100-0200, by inserting at the end the following wording:- "provided further, that not less than \$50,000 shall be expended for the 4-H program".

The amendment was **adopted**.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 7100-0200, in line 5 by inserting after, "Maintenance" the following "provided that not less than 350,000 shall be expended for the William Trotter Institute."

The amendment was **adopted**.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7061-9404 by inserting the following:- "Provided further

that not less than \$100,000 shall be expended for the Clean Slate program in the city of Springfield;"; and in said item by striking the figures "\$11,604,139" and inserting in place thereof the figures "\$11,704,139".

The amendment was **adopted**.

Messrs. Tarr and O'Leary, moved that the bill be amended, in Section 2, in item 7100-0200, by adding at the end thereof the following: "and provided further, that not less than \$150,000 shall be expended for an ongoing study by the University of Massachusetts at Amherst's Agricultural Department, of the winter moth worm and methods to minimize or eliminate its damage".

The amendment was **adopted**.

Mr. Tisei moved that the bill be amended, in Section 2, in item 7061-0011, by inserting after the words "required local contributions greater than 80 per cent of their foundation budgets" the following:- "(9) to assist towns in which in excess of one-third of the total land mass of the town is owned and controlled by the commonwealth and who receive payment in lieu of taxes on less than 25 per cent of said land."

The amendment was **adopted**.

Mr. Knapik moved that the bill be amended, in Section 2, in item 7004-0099 by inserting after the words "Children and Family Program;" the following:- "provided further, that not less than \$50,000 shall be expended for Kamp for Kids in Westfield" and in said item, by striking out the figures "\$8,520,831" and inserting in place thereof the figures "\$8,570,831".

The amendment was **adopted**.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7066-0000 by striking out the words "and provided further, that not less than \$250,000 shall be expended for the establishment of text-messaging emergency notification systems at all state and community colleges in coordination with the department of public safety" and inserting in place thereof the following words "provided further, that not less than \$250,000 shall be expended for the establishment of text-messaging emergency notification systems at the campuses of the university of Massachusetts and all state and community colleges in coordination with the department of public safety; and provided further, that not less than \$100,000 shall be provided for the prevention of campus violence" and in said item by striking out the figure "2,875,766" and inserting in place thereof the figure "\$2,975,766"; and further by striking item 7066-0022.

The amendment was **adopted**.

Mr. Brown moved that the bill be amended, in Section 2, in item 8900-0001 by adding at the end thereof the following: "provided that \$192,000 shall be expended to the community that hosts the Bay State Correctional Center"; and in said item by striking out the figure "\$461,618,601," and inserting in place thereof the figure "\$461,810,601."

The amendment was **adopted**.

Mr. Joyce, Ms. Chandler and Ms. Tucker moved that the bill be amended, in Section 2, in item 8400-0001, by striking out the figure "\$43,014,998" and inserting in place thereof the following figure: - "\$43,698,479".

The amendment was **adopted**.

Mr. Hart moved that the bill be amended, in Section 2, in item 0340-0100, by inserting after the words "intention to make that transfer" the following:— "provided further, that not less than \$150,000 shall be expended for additional support of the Gun Prosecution Task Force, otherwise known as the Gun Court; and provided further, that office shall submit a report to the house and senate committees on ways and means not later than March 1, 2008 detailing the number of cases prosecuted pursuant to said Gun Court"; and move to further amend said item by striking out the figure "\$15,925,834" and inserting in place thereof the following figure:— \$16,075,834.

The amendment was **adopted**.

Mr. Havern, Ms. Candaras, Ms. Creem and Ms. Tucker moved that the bill be amended, in Section 2, in item 4512-0200 by inserting the following at the end thereof: "provided further, that not less than \$1,500,000 shall be expended for maintaining the substance abuse and mental health pilot programs in houses of correction in Hampden county, Norfolk county, Middlesex county and Barnstable county; provided further, that one counselor shall continue to be assigned for every two hundred inmates within each facility; provided further, that said pilot programs shall continue to report upon the progress of the program and the rate of recidivism bi-annually to the joint chairpersons of the mental health and substance abuse committee and to the chairpersons of the house and senate committee on ways and means;".

The amendment was **adopted**.

Mr. Downing moved that the bill be amended, in Section 2, in item 8910-0445, by striking the following: "\$150,000" and by adding the following: "\$200,000"; and by striking out the figures "\$150,000" and inserting in place thereof the figures "\$200,000".

The amendment was **adopted**.

Ms. Jehlen moved that the bill be amended in Section 2, in item 8900-0001 by inserting after the words “Cedar Junction” the following:- “provided further that in an effort to monitor and reduce current levels of over-classification, the Department of Correction shall quarterly provide the Joint Committee on Public Safety and the House and Senate Committees on Ways and Means with data on the number of prisoners at each security level”.

The amendment was **adopted**.

Messrs. Barrios and Hart moved that the bill be amended, in Section 2, in item 8324-0000, by inserting after the words “ the expenses of the council” the following: - “and the operations of the Boston Fire Department training academy”; and in said item by inserting after the words “provided further, that \$1,296,000 shall be provided for the Commonwealth’s Hazardous Material Response Teams” the following:- “provided further, that \$500,000 shall be provided for the Boston Fire Department Hazardous Material Response Teams”; and in said item by inserting after the words “the state fire marshal’s office” the following:- “, the Boston Fire Department training academy”; and by inserting after the words “shall be paid from this item” the following:- “provided further, that not less than \$1,750,000 shall be provided for the Boston Fire Department training academy”; and in said item, by striking the figures “\$12,107,596” and inserting in place thereof the figure “\$14,357,596”.

The amendment was **adopted**.

Mr. Baddour moved that the bill be amended by inserting, after Section ____, the following new Section: - “SECTION _____. Pursuant to Section 2B of Chapter 205 of the Acts of 1996, the Central Artery/Third Harbor Tunnel project oversight commission shall be disbanded as of December 31, 2007. Under the direction of the Office of the Attorney General, the Office of the Attorney General, the Office of the Inspector General and the Office of the Auditor, or their designees, shall continue to meet on a quarterly basis to coordinate oversight activities relative to the Central Artery/Third Harbor Tunnel project.”

The amendment was **adopted**.

Messrs. Brewer, Rosenberg, Downing, and O’Leary moved that the bill be amended, in Section 2, in item 4590-0250, by adding at the end thereof the following: “provided further, that not less than \$200,000 shall be expended for the North Quabbin Community Coalition for support and implementation of four model community coalitions and community capacity-building activities”; and in said item by striking out the figures “\$16,548,474” and inserting in place thereof the following figures “\$16,748,474”.

The amendment was **adopted**.

Mr. Antonioni moved that the bill be amended, in Section 2, in item 4406-3000, by adding after the words “fiscal year 2007” the following words:- “, including funds received in item 1599-1005 in Chapter 42 of the Acts of 2007,”; and in said item, by striking out the figure “\$35,730,136” and inserting in place thereof the following figure:- “\$35,839,936”.

The amendment was **adopted**.

Mr. Joyce moved that the bill be amended, in Section 2, in item 9110-1900, by adding the following: “provided further that \$300,000 shall be expended to Community Physicians Associates for the purposes of administering a geriatrics program, which includes, but not limited to inpatient care, outpatient care, rehabilitation and post-acute care, long-term care and assisted living counseling, and education of caregivers”; and in said item, by striking out the figure “\$5,935,303” and inserting in place thereof the figure “\$6,235,303”.

The amendment was **adopted**.

Ms. Menard moved that the bill be amended, in Section 2, in item 4510-0810, by adding at the end thereof the following: “and provided further, that funds shall be expended for a contract with the Massachusetts Children’s Alliance to support children’s advocacy centers in the Commonwealth”.

The amendment was **adopted**.

Mr. Hart and Ms. Wilkerson moved that the bill be amended, in Section 2, in item 4512-0200, by adding at the end thereof the following: “provided further, that not less than \$50,000 shall be expended for the Exodus Outreach Recovery Program”, and in said item, by striking out the figures \$77,811,216 and inserting in place thereof the figures \$77,861,216.

The amendment was **adopted**.

Messrs. McGee and Augustus and Ms. Spilka move that the bill be amended, in Section 2, in item 4400-1001 by inserting after the word “Inc.,” in line 3 the following words: “which shall be solely responsible for administering a comprehensive, community-based program to alleviate and prevent hunger and to expand participation in federal nutrition programs;” and by inserting after the word “Bureau” in line 4 the words “provided further, that Project Bread shall develop a strategic plan to alleviate hunger; provided further, that Project Bread shall support research relative to the prevention and effect of hunger;”.

The amendment was **adopted**.

Mr. Hart moved that the bill be amended, in Section 2, in item 4120-4000, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for the Joseph F. Timilty Adult Day Health and Memory Loss Center;” and

in said item, by striking out the figures \$11,401,483 and inserting in place thereof the figures \$11,501, 483.
The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 4000-0112, by adding at the end thereof the following:-
“provided that an amount not to exceed \$35,000 be provided in a matching grant to United Way of Tri-County for services at the Milford Youth Center;” and in said item, by striking out the figure “\$4,695,000” and inserting in place thereof the following figure:- “\$4,630,000”.

The amendment was **adopted**.

Messrs. Moore and Tarr moved that the bill be amended, in Section 2, in item 4000-0600, by adding at the end thereof the following:- “provided further that, no later than October 1, 2007, the Office of Medicaid shall submit a Money Follows the Person Rebalancing Demonstration grant in accordance with the provisions of section 6071 of the federal Deficit Reduction Act of 2005, P.L. 109-171, to assist individuals seeking to transition from institutions who wish to live in the community; provided further that the Office of Medicaid shall forward a copy of this application to the House and Senate Committee on Ways and Means, the House and Senate Chairs of Joint Committee on Elder Affairs, and the House and Senate Chairs of the Joint Committee on Health Care Financing;”.

The amendment was **adopted**.

Messrs. Antonioni, Augustus, Moore and Brown, Ms. Creem, Ms. Spilka, Messrs. Joyce and Hedlund, Ms. Candaras, Ms. Jehlen, Ms. Fargo and Mr. Montigny moved that the bill be amended, in Section 2, in item 5920-3010, by striking out the figure “\$3,052,672” and inserting in place thereof the following figure:- “\$3,252,672”.

The amendment was **adopted**.

Mr. Baddour moved that the bill be amended, in Section 2, in item 4000-0112, by adding at the end the following: “provided further, that not less than \$50,000 be expended for programs and improvements at the Haverhill YWCA”; and in said item, by striking out the figures “\$4,695,000” and inserting in place thereof the figures “\$4,745,000”.

The amendment was **adopted**.

Mr. Montigny moved that the bill be amended, in Section 2, in item 4512-0200, by adding after the following words “expended for the Link House, Inc., in the town of Salisbury, for purposes of establishing transitional housing for women in recovery from substance abuse;” the following words:- “provided further, that \$200,000 shall be expended for the Massachusetts Interscholastic Athletic Association’s substance abuse program;”.

The amendment was **adopted**.

Ms. Creem and Mr. Moore moved that the bill be amended, in Section 2, in item 4510-0710, by striking the figure, “20,000” and inserting in place thereof the following figure, “40,000” and is further amended at the end by striking the figure, “8,381,687” and inserting in place thereof the following figure, “8,401,687”.

The amendment was **adopted**.

Ms. Resor, Ms. Spilka, Ms. Creem, Ms. Jehlen, Ms. Fargo, Messrs. Augustus, Timilty, Tisei and O’Leary moved that the bill be amended, in Section 2, in item 4510-0100, in line 8, by striking out the following:- “; and provided further, that state or federal funding for school-based abstinence education shall be used only in conjunction with the teaching of comprehensive sexuality education;” And that the bill be further amended in section 2D by striking out item 4513-9084.

The amendment was **adopted**.

Messrs. Augustus and Antonioni and Ms. Chandler moved that the bill be amended, in Section 2, in item 3000-6075 by striking the words:- “and provided further, that eligible recipients for the grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, headstart programs, licensed child care providers, and child care resource and referral centers” and inserting in place thereof the following words:- “and provided further, that eligible recipients for the grants shall include community partnership councils, municipal school districts, regional school districts, educational collaboratives, headstart programs, licensed child care providers, child care resource and referral centers and other qualified entities”.

The amendment was **adopted**.

Ms. Candaras and Messrs. Buoniconti, and Knapik move that the bill be amended, in Section 2, in item 4513-1000, by adding at the end thereof the following: provided that \$10,000 be expended for the Cancer House of Hope in the City of Westfield”; and in said item, by striking out the figures “\$6,396,716” and inserting in place thereof the figures “6,406,716”.

The amendment was **adopted**.

Mr. Downing moved that the bill be amended, in Section 2, in item 4530-9000, by striking the following: “provided further, that not less than \$200,000 shall be expended for the Berkshire Coalition to Prevent Teenage Pregnancy in the Berkshire region” and by adding the following: “provided further, that not less than \$150,000 shall be expended for Berkshire Coalition to Prevent

Teenage Pregnancy in the Berkshire region; provided further, that of said \$150,000, not more than 10% can be used for administrative services; provided further, that not less than \$50,000 shall be expended for the teen pregnancy prevention programs in the cities of North Adams and Pittsfield”.

The amendment was **adopted**.

Mr. Moore moved that the bill be amended, in Section 2, in item 4100-0060, by adding at the end thereof the following:- “provided further, that the division shall submit to the house and senate committees on way and mean and the join committee on heath care financing no later than December 6, 2007 a report detailing rate or other payment appeals submitted to the division by skilled nursing facilities and rest homes including (1) the initial date of appeal, (2) the amount of payment in dispute, (3) the status of each appeal, and (4) the Commonwealth’s response and date issued;”.

The amendment was **adopted**.

Mr. Moore, Ms. Candaras, Ms. Tucker and Mr. Hart moved that the bill be amended, in Section 2, in item 7066-0000, by striking out the phrase “provided further, that \$500,000 shall be expended for the Massachusetts Nursing and Allied Health Workforce Development Initiative,” and inserting in its place the following:- “and provided further, that \$1,000,000 shall be expended for the Massachusetts Nursing and Allied Health Workforce Development Initiative,” and in said item, by striking out the figure “\$2,875,766” and inserting in place thereof the following figure:- “\$3,375,766”.

The amendment was **adopted**.

Messrs. Creedon and Morrissey moved that the bill be amended, in Section 2, in item 4512-0200, by adding at the end thereof following: “provided that not less than \$100,000 shall be expended for the operation of Learn-to-Cope, a support group providing Massachusetts parents and families with children addicted to OxyCotin and heroin with substance abuse recovery treatment resources and emotional support,” and be it further amended by striking out the figures “\$77,811,216” and by inserting in place thereof the figures “\$77,911,216”.

The amendment was **adopted**.

Mr. Creedon moved that the bill be amended, in Section 2, in item 4513-1111, by inserting at the end thereof the following, “providing further, that not less than \$250,000 shall be expended for the program to combat mental retardation in children suffering from a genetic effect causing phenylketonuria created by section 4E of chapter 111 of the General Laws to be appropriated to the Commonwealth’s metabolic disorder clinic programs for the purpose of patient education and support or anything else deemed necessary by said clinic programs”; and in said item, by striking out the figures “\$13,919,012” and inserting in place thereof the figures “\$14,169,012”.

The amendment was **adopted**.

Messrs. Moore and Knapik, Ms. Candaras, Ms. Spilka and Messrs. Hart and Creedon moved that the bill be amended, in Section 2, in item 4000-0112, by striking out the phrase:- “that not less than \$3,000,000 shall be expended for the Massachusetts Alliance of Boys and Girls Clubs;” and inserting in place thereof the following:- “that not less than \$3,300,000 shall be expended for the Massachusetts Alliance of Boys and Girls Clubs;” and in said item, by striking out the figure “\$4,695,000” and inserting in place thereof the following figure:- “\$4,995,000”.

The amendment was **adopted**.

Messrs. Hedlund, Brown and Tarr moved that the bill be amended, in Section 2, in item 4110-1000, by inserting after the words “the deaf-blind community access network;” the following:- “provided further, that not less than \$500,000 shall be expended for the talking information center;”.

The amendment was **adopted**.

Mr. Baddour, Ms. Menard, Mr. Montigny, Ms. Jehlen, Messrs. Barrios and Tarr, Ms. Creem and Ms. Tucker moved that the bill be amended, in Section 2, in item 4000-0600, by adding at the end thereof the following: “the Executive Office of Elder Affairs shall make no change in the reimbursement system or operations of Adult Day Health programs as they relate to transportation of program participants except that the executive office may grant periodic rate increases, as appropriate, for transportation services.”

The amendment was **adopted**.

Mr. Pacheco moved that the bill be amended, in Section 2, in item 4406-3000 by striking out the figures “\$35,730,136” and inserting in place thereof the following figure:- “\$35,830,136”.

The amendment was **adopted**.

Messrs. Pacheco, Knapik and O’Leary moved that the bill be amended, in Section 2, in line item 4000-0640 by striking out paragraph (4) and inserting in place thereof the following new paragraph (4):-

“ (4) effective July 1, 2007, an annual amount of \$16,450,000 (a) to fund rate adjustments for reasonable capital expenditures by nursing homes, giving priority to nursing homes located or constructed in under-bedded areas as determined by said executive

office, in consultation with the division, that meet quality standards established by the executive office of health and human services in conjunction with the department of public health and the division for the purposes of encouraging the upgrading and maintenance of quality of care in nursing homes; and (b) to fund rate adjustments to eligible nursing homes that meet utilization standards established by the executive office of health and human services in conjunction with the division for the purpose of reducing unnecessary nursing home admissions and facilitating the return of nursing homes residents of non-institutional settings; provided further, that to the extent that the annual amount of \$16,450,000 in this clause is not fully allocated, the division shall provide operating rate adjustments in equal amounts to the following nursing homes (1) publicly operated nursing homes located in Taunton and Holyoke, and (2) a geographically isolated nursing home located Oak Bluffs;”.

The amendment was **adopted**.

Messrs. Morrissey and Barrios and Ms. Candaras moved that the bill be amended, in Section 2, in item 4513-1130, by inserting after the words “statewide Spanish language hotline for sexual abuse” the following:- “, domestic violence services for immigrants and refugees.”.

The amendment was **adopted**.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 1410-0250, by inserting after “Haverhill for homelessness services” the following:- “; provided further, that not less than \$75,000 shall be expended for a contract with the Springfield Bilingual Veterans Outreach Center for the operation and maintenance of a homeless veterans transition house located in the city of Springfield; provided further, that not less than \$51,975 shall be expended for a contract with the Springfield Bilingual Veterans Outreach Center for the operation and maintenance of homeless veterans transitional housing units at the YMCA of Springfield”.

The amendment was **adopted**.

Mr. Buoniconti and Ms. Candaras moved that the bill be amended, in Section 2, in item 1410-0012 by inserting after “Morse Institute Library in Natick” the following:- “Provided that not less than \$25,000 shall be expended for the Mason Square Veterans Outreach Center in the city of Springfield”.

The amendment was **adopted**.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 4513-1111 in line 3 by inserting after “prostate cancer screenings” the following “ education and treatment with a particular focus on African American Males.”

The amendment was **adopted**.

Mr. Tarr moved that the bill be amended, in Section 2, in item 4513-1111, by inserting at the end thereof the following wording: - “provided further, that sites for Hepatitis C services shall be distributed throughout the Commonwealth so as to ensure coverage in all geographic regions, including currently underserved areas proximate to Cape Ann, Fitchburg/Leominster and Pittsfield, provided that any expansions necessary to achieve geographically appropriate coverage shall build upon existing local programs with proven experience in addressing Hepatitis C.”

The amendment was **adopted**.

Mr. Tarr moved that the bill be amended, in Section 2, in item 4510-0600, by adding at the end thereof the following: “provided further, that \$150,000 be expended for the completion of the comprehensive study of the exposure routes and patterns of contaminants in the Maple Meadowbrook Aquifer migrating to and affecting the Wilmington drinking water supply and the study of incidents of childhood cancer in the town of Wilmington”.

The amendment was **adopted**.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 4800-1400 by striking “provided further, that not less than \$500,000 shall be expended for the YWCA battered women’s shelter in the city of Springfield” and replacing it with the following:- “Provided further that not less than \$1,037,000 shall be expended for the YWCA battered women’s shelter in the city of Springfield;” and in said item by striking the figures “\$22,072,767” and inserting in place thereof the figures “\$22,609,767”.

The amendment was **adopted**.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 1410-0012, in line 7 by inserting after, “Gardner” the following “; provided further, that not less than \$228,771 shall be obligated for a contract with the Veterans Benefit Clearinghouse in the Roxbury Section of Boston.”

The amendment was **adopted**.

Mr. Barrios and Ms. Candaras moved that the bill be amended, in Section 2, in item 4513-1130, be amended by inserting after the word “sexual abuse” the following : “and domestic violence services for immigrants and refugees”.

The amendment was **adopted**.

Messrs. Barrios and Augustus, Ms. Candaras, Ms. Chandler, Ms. Creem, Ms. Fargo, Ms. Jehlen, Messrs. Joyce, McGee and Montigny, Ms. Wilkerson, Ms. Spilka, Messrs. Timilty and Buoniconti, Ms. Tucker and Mr. Havern moved that the bill be

amended, in Section 2, in item 4513-1130, by striking out the figure “\$158,000” and inserting in place thereof:- \$250,000 and further move to amend by striking out the figure “\$3,774,677” and inserting in place thereof:- \$3,866,677.

The amendment was **adopted**.

Mr. Tisei moved that the bill be amended, in Section 2, in item 4800-1400, by adding at the end thereof the following:- “provided further, that not less than \$10,000 shall be expended for the Wakefield Alliance Against Violence”; and by striking out the figure “\$22,072,767” and inserting in place thereof the figure “\$22,082,767”.

The amendment was **adopted**.

As previously stated, the above amendments were considered as one, and were adopted.

Messrs. Augustus and Tarr moved that the bill be amended by striking section 76 and inserting in place thereof the following:-

SECTION 76. There shall be a special commission to review the current state of the homeowners’ insurance market in the commonwealth. The commission shall study the availability and affordability of property insurance, the relevant rate-driving factors, the cost of reinsurance and the current use of storm damage prediction data and shall consider any actuarial methods, principles, standards, models or output ranges that have the potential for improving the accuracy of or reliability of hurricane loss projections. The commission shall evaluate the potential benefits and disadvantages of the creation of a state-run board on hurricane loss projection methodology to provide actuarial guidelines and standards for projection of hurricane losses as well as for a state-run catastrophic event fund.

The commission shall consist of: the house and senate chairs of the joint committee on financial services or their designees, who shall co-chair the commission; the house minority leader, or a designee; the senate minority leader, or a designee; 1 member of the house of representatives and 1 member of the senate, both of whom represent Cape Cod or another coastal area of the commonwealth; the treasurer, or a designee; the commissioner of insurance, or a designee, the attorney general or a designee; a representative from the Massachusetts Property Insurance Underwriting Association; 1 representative from a property casualty insurer, chosen by the Massachusetts Insurance Federation, a representative chosen by the Massachusetts Association of Insurance Agents; a representative chosen by the Reinsurance Association of America; a representative from the Center for Insurance Research; and a representative from the Massachusetts Public Interest Research Group. The commission shall conduct no fewer than 4 meetings, the first of which shall convene not later than July 21, 2007, and it shall hold at least 1 public hearing on Cape Cod or other coastal area in the commonwealth.

Notwithstanding any general or special law to the contrary, the commissioner shall not approve any rate filing required under section 5 of chapter 175C of the General Laws until after the commission has filed its report or October 1, 2007, which ever is earlier.

The commission shall file a report of its findings, including any legislative or regulatory recommendations, with the clerks of the house of representatives and the senate by October 1, 2007. The joint committee on financial services shall hold a public hearing on these recommendations not later than November 1, 2007.

The amendment was **adopted**.

There being no objection, the following amendments were considered as one and were *rejected*, to wit:

Ms. Jehlen moved that the bill be amended, in Section 2, in item 2800-0100 by inserting after the words “Connecticut river valley” the following:-“provided further, that \$185,737 shall be expended for staffing at Middlesex Fells Reservation” and by striking out the figure “5,451,481” and inserting in place thereof the figure “5,636,854”.

The amendment was *rejected*.

Ms. Jehlen moved that the bill be amended, in Section 2, in item 2800-0700 by striking out the figure “1,045,000” and inserting in place thereof the following figure “1,295,000” and by inserting after the words “public safety” the following:- “provided further that not less than \$250,000 shall be expended for a study of the pumping capacity of the Amelia Earhart Dam on the Mystic River”.

The amendment was *rejected*.

Ms. Jehlen moved that the bill be amended, in Section 2, in item 2800-0700 by striking out the figure “1,045,000” and inserting in place thereof the following figure:- “1,395,000” and by inserting after the words “dam safety” the following:- “provided further that not less than \$250,000 shall be paid to the town of Winchester within 30 days of receipt of said funds to conduct environmental and related mitigation studies in connection with proposed flood mitigation along the Aberjona River, including but not limited to a comprehensive analysis of the Craddock locks and the Mid Lake dam in the Mystic Lakes and Scally Dam in Woburn , and to ensure such flood mitigation satisfies the requirements of Article 97 of the Constitution” .

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 2800-0101, by adding at the end thereof the following words:- “provided further, that not less than \$100,000 shall be expended for the town of Hopkinton for the operation of North Pond Dam/Lake Maspenock Dam located in the towns of Hopkinton, and Milford”; and in said item, by striking out the figure “\$1,986,548” and inserting in place thereof the following figure:- “\$2,086,548”.

The amendment was *rejected*.

Mr. Havern and Ms. Jehlen moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following:- “provided further that not less than \$50,000 be expended to Woburn Social Capital Inc. (SCI) to support the expansion of their programming in Woburn and Dorchester”; and in said item, by striking out the figures “\$5,451,481” and inserting in place thereof the following figures “\$5,501,481”.

The amendment was *rejected*.

Mr. Havern moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following: “provided that \$40,000 shall be expended for improvements to Warren Manning Park in the town of Billerica”; and in said item, by striking out the figures “\$5,451,481 and inserting in place thereof the figures “\$5,491,481”.

The amendment was *rejected*.

Messrs. Havern and Barrios moved that the bill be amended, in Section 2, in item 2800-0700, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for a study of the pumping capacity of the Amelia Earhart Dam on the Mystic River;” and in said item striking out the figures “\$1,045,000” and inserting in place thereof the following figures “\$1,145,000”.

The amendment was *rejected*.

Mr. Havern moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following : “ provided that \$100,000 shall be expended for improvements to the Vietnam Veterans Park in the town of Billerica”; and in said item by striking out the figures “\$5,451,481” and inserting in place thereof the figures : “\$5,551,481”.

The amendment was *rejected*.

Messrs. Havern and Morrissey, Ms. Creem, Ms. Jehlen, Ms. Fargo, Messrs. Joyce, Hedlund, Barrios and Brown, Ms. Tucker, Ms. Spilka, Messrs. Tolman, McGee, Timilty and Tarr and Ms. Walsh moved that the bill be amended, in Section 2, in item 1231-1000, by striking out the figure “\$15,000,000” and inserting in place thereof the figure “\$25,000,000”.

The amendment was *rejected*.

Messrs. Joyce and Creedon moved that the bill be amended, in Section 2, in item 2810-0100, by adding the following: “; provided further that \$50,000 shall be expended for multi-purpose artificial athletic field and running track with handicap access at Oliver Ames High School in Easton”; and in said item, by striking out the figure “\$26,463,582” and inserting in place thereof the figure “\$26,513,582”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 2800-0101, by adding the following: “; and provided further, that \$100,000 shall be expended for Pine Tree Brook in the Town of Milton to implement phase VI of a project for clearing and channel maintenance”; and in said item, by striking out the figures “\$1,986,548” and inserting in place thereof the figures “\$2,086,548”.

The amendment was *rejected*.

Messrs. Joyce and Timilty moved that the bill be amended, in Section 2, in item 2800-0700, in line 5, by inserting after “safety” the following: “; provided further, that not less than \$285,000 shall be expended for repairs to Manns Pond Dam in Sharon”; and in said item, by striking out the figures “\$1,045,000” and inserting in place thereof the figures “\$1,330,000”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 2810-0100, by adding the following: “; provided further that \$1,000,000 shall be expended for renovations, including irrigation, to the Houghton’s pond athletic fields”; and in said item, by striking out the figures “\$22,255,308” and inserting in place thereof the figure “\$23,255,308”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 2820-0100, by adding the following: “; provided further that \$1,000,000 shall be expended for improvements along the Blue Hills Parkway, including but not limited to infrastructure and

road improvements, signalization, sidewalks, lighting, safety and aesthetic improvements, in the town of Milton” and in said item, by striking out the figure”\$26,463,582” and inserting in place thereof the figure \$27,463,582”.
The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 2800-0700, in line 5, by inserting after “safety” the following: “; provided further, that not less than \$400,000 shall be expended for repairs to a levee on the Canton River in the Town of Canton”; and in said item, by striking out the figures “1,045,000” and inserting in place thereof the figures “1,445,000”.
The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in Section 2, in item 2810-0100, by adding at the end thereof the following: “provided further, that not less than \$25,000 shall be expended for the Heritage State Park in the city of Fall River”; and in said item, by striking out the figures “\$22,255,308” and inserting in place thereof the figures “\$22,280,308”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 2260-8870 by adding the following: “; provided further, that not less than \$90,000 shall be provided for Brownfield redevelopment in the City of Lynn”; and in said item, by striking out the figures “\$16,116,601” and inserting in place thereof the figures “\$16,206,601”.
The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 2200-0100, by adding at the end thereof the following:- “and provided further, that not less than \$100,000 shall be expended for site contamination services associated with the Caryville Mill Senior Housing Program;” and in said item, by striking out the figure “\$33,778,004 ” and inserting in place thereof the following figure:- “\$33,878,004 ”.
The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 2820-0100, by adding at the end thereof the following:- “provided further that not less than \$25,000 shall be provided to the Veterans' Memorial Park in Blackstone;” and in said item, by striking out the figure “\$26,463,582” and inserting in place thereof the following figure:- “\$26,488,582 ”.
The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 2820-0100, by adding at the end thereof the following:- “provided further, that not less than \$50,000 shall be provided to the Lake Singletary Watershed Association for services related to water quality and conservation improvements;” and in said item, by striking out the figure “\$26,463,582” and inserting in place thereof the following figure:- “\$26,513,582”.
The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, in item 2800-0500, by adding after the words “Nahant Beach Reservation”:- provided further that not less than \$50,000 be appropriated to support the Revere Beach Partnership’s efforts to promote family activities along the DCR’s Revere Beach Reservation and further move to amend the item by striking “\$2,835,000” and insert in place thereof the following figure:- \$2,885,000.
The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following:- “; provided further, that not less than \$60,000 be expended for the Martha’s Vineyard Commission”.
The amendment was *rejected*.

Ms. Resor, Ms. Spilka, Ms. Jehlen, Ms. Tucker, Ms. Creem, Messrs. Brewer, Moore, Augustus, Joyce, O’Leary, Hedlund, Timilty, Creedon and Barrios, Ms. Chandler and Ms. Walsh moved that the bill be amended, in Section 2, in item 2810-0100, by striking out the figure “\$22,255,308” and inserting in place thereof the following figure:- “\$23,500,000”.
The amendment was *rejected*.

Ms. Resor, Messrs. Tarr and Timilty moved that the bill be amended, in Section 2, in item 2511-0100, by striking out the figure “\$4,692,183” and inserting in place thereof the following figure:- “\$6,572,278”.
The amendment was *rejected*.

Ms. Resor, Ms. Creem, Messrs. Brewer, Moore, Creedon and Tarr moved that the bill be amended, in Section 2, by inserting after item 2310-0317, the following item:-
“2310-0318 For the operation of the natural heritage and endangered species program\$200,000.”
The amendment was *rejected*.

Ms. Resor, Ms. Creedon, Ms. Spilka, Messrs. Pacheco and Timilty moved that the bill be amended, in Section 2, in item 2000-9900, by adding at the end thereof the following:- “; provided that not less than \$100,000 shall be expended for the completion of

the development of a comprehensive statewide digital data layer of land use/land cover and related services necessary to complete this data layer;" and by striking out the figure "290,874" and inserting in place thereof the following figure:- "585,996." The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 2800-0100, by inserting at the end thereof the following: "provided further, that not less than \$150,000 shall be expended on septic system replacement for the Crosby Mansion and the Cape House septic system on Department of Conservation and Recreation property located within Nickerson State Park in the town of Brewster"; and in said item, by striking out the figures "\$5,451,481" and inserting in place thereof the figures: "\$5,601,481".

The amendment was *rejected*.

Ms. Resor, Ms. Candaras, Ms. Spilka, Messrs. Moore, Hedlund and Timilty, Ms. Chandler and Mr. Barrios moved that the bill be amended, in Section 2, in item 2800-0100, by adding at the end thereof the following:- ": provided that \$267,000 be expended for the purpose of the Universal Access program in the state parks"; and in said item, by striking out the figures "\$5,451,481" and inserting in place thereof the figures "5,718,481".

The amendment was *rejected*.

Ms. Resor, Ms. Creem, Messrs. Moore and Tarr moved that the bill be amended, in Section 2, in item 2000-0100, by adding at the end thereof the following:- ": provided further that not less than \$171,000 be expended to complete the water budget project for EOEEA"; and in said item, by striking out the figures "\$6,677,069" and inserting in place thereof the figure "\$6,848,069".

The amendment was *rejected*.

Ms. Resor, Messrs. Rosenberg, Brewer, Moore, and Tarr moved that the bill be amended, in Section 2, in item 2511-0100, by adding at the end thereof the following:- ": provided that \$60,000 be expended for Massachusetts Agriculture in the Classroom and said grant shall require a 100% match from the private sector"; and in said item, by striking out the figures "\$4,692,183" and inserting in place thereof the figures "\$4,752,183".

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 2820-0100, by adding the following: "provided further that not less than \$50,000 shall be expended for public safety on the Deerfield and upper Connecticut River"; and in said item, by striking out the figures "26,463,582" and inserting in place thereof the figures "\$26,513,582".

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 2810-0100, by adding at the end thereof the following:- provided further, that not less than \$100,000 shall be expended for the Camp Marion Recreation Program; and in said item, by striking out the figure "\$26,463,582" and inserting in place thereof the following figure:- "\$26,563,582".

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 2010-0100, by striking out the figure "\$2,145,456" and inserting in place thereof the following figure:- "\$2,360,267".

The amendment was *rejected*.

Mr. Creem moved that the bill be amended, in Section 2, in item 2820-0100, by inserting, in line 16 after the words, "City of Boston;" the following, "provided further than no more than \$20,000 shall be expended for the purposes of conducting a study to determine the feasibility of extending the pathway running along the Charles River through or near the Newton Lower Falls neighborhood;"; and by striking at the end the figure, "26,463,582" and replacing it with the figure, "26,483,582".

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in Section 2, in item 2820-0100, by inserting, after the words "city of Boston;" the following: - "provided further, that \$250,000 shall be expended for the linked trail system for local and state parks along the Back River in the towns of Weymouth and Hingham"; and in said item, by striking out the figures "\$26,463,582" and inserting in place thereof the figures "\$26,713,582."

The amendment was *rejected*.

Ms. Walsh moved that the bill be amended, in Section 2, in item 2810-0100, by inserting after the words "Schooner Ernestina commission" the words "; and \$150,000 shall be expended for improvements to the restroom facilities and overall park maintenance at the Kelly Field in Hyde Park, and \$200,000 shall be expended for improvements to Dale Street Park in Roslindale" and by striking out the figure "\$22,255,308" and inserting in place thereof the figure "22,605,308".

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in Section 2, in item 2800-0500, by inserting, after the words "Nahant Beach Reservation;" the following: - "provided further, that not less than \$150,000 be allocated for maintaining, trash removal,

maintenance and up keep for Nantasket Beach in the town of Hull”; and in said item, by striking out the figures “\$2,835,000” and inserting in place thereof the figures “\$2,985,000.”

The amendment was *rejected*.

Mr. Antonioni and Ms. Resor moved that the bill be amended, in Section 2, in item 2511-3002, by adding at the end thereof the following:- "provided, that \$300,000 be expended for the University of Massachusetts at Amherst Extension Program for the purposes of agriculture, urban and school extension of pest management and research; and provided further, that \$75,000 be expended by the Department of Agricultural Resources for the purposes of enforcing the Children and Families Protection Act of 2001.....\$375,000".

The amendment was *rejected*.

Ms. Creem moved that the bill be amended, in Section 2, in item 2820-0100, by inserting at the end thereof the following: "provided further, that not less than \$150,000 shall be expended for the costs associated with the clean up of the Charles River Lakes District Parking Area"; and in said item by striking out the figures "\$26,463,582" and inserting in place thereof the figures "\$26,613,582".

The amendment was *rejected*.

Mr. Hedlund and Ms. Resor moved that the bill be amended, in Section 2, in item 2010-0100, by striking out the figure “\$2,145,456” and inserting in place thereof the following figure:- “\$2,525,000”.

The amendment was *rejected*.

Messrs. Brewer and Moore moved that the bill be amended, in Section 2, in item 2000-0100, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for the Wildlands and Woodlands Pilot Project to be administered by the University of Massachusetts Extension’s Forest Resources Conservation Program”; and in said item by striking out the figures “6,677,069” and inserting in place thereof the figures “6,777,069”

The amendment was *rejected*.

Ms. Creem moved that the bill be amended, in Section 2, in item 2820-0100, in line 14 after the words, “city of Somerville;” by inserting the following: “provided further, that not less than \$250,000 shall be expended for public safety along Nonantum Road in Watertown;” and at the end by striking the figure, “26,463,582” and inserting in place thereof the figure, “26,713,582”.

The amendment was *rejected*.

Messrs. Hedlund and Tarr moved that the bill be amended, in Section 2, by inserting after item 2820-9005 the following item: “2850-1511 For a grant program to fund the rehabilitation, reconstruction and construction of seawalls; provided, that preference of funding for the renovation and construction of the seawalls shall be given to those areas that pose an immediate hazard to public safety.....\$5,000,000”

The amendment was *rejected*.

Messrs. Augustus, Joyce and Morrissey, Ms. Tucker, Mr. Hedlund, Ms. Jehlen, Messrs. Timilty and Barrios moved that the bill be amended, in Section 2, in item 2820-0100, by striking out the figure “\$26,463,582” and inserting in place thereof the following figure:- “\$29,082,482”.

The amendment was *rejected*.

Messrs. Tarr, Brewer and Antonioni, moved that the bill be amended, in Section 2, in item 2300-0100, by striking out the figures “\$545,106” and inserting in place thereof the figures “\$729,300”.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 7006-1000, by striking out the figure “\$1,027,121” and inserting in place thereof the following figure:- “\$1,002,472”.

The amendment was *rejected*.

Mr. Baddour moved that the bill be amended by inserting, after Section 7, the following new section:-

“SECTION 7A. Section 1 of chapter 21 of the General Laws, as appearing in the 2004 Official Edition is hereby amended by adding at the end thereof the following.:-

“The division of urban parks and recreation shall retain all revenues generated by parks, beaches and recreational facilities under their jurisdiction at Salisbury Beach such that 5 percent of the funds generated at said locations shall be placed in the Salisbury Beach Preservation Trust Fund and used for the long term preservation and maintenance of said locations and 95 percent shall go to the division’s general fund”.

The amendment was *rejected*.

Mr. Tisei moved that the bill be amended, in Section 2, in item 2820-0100, by adding at the end thereof the following: “provided that \$175,000 shall be expended to improve the water quality and public health at Fellsmere Pond in the city of Malden”; and by

striking out the figure “\$26,463,582” and inserting in place thereof the figure “\$26,638,582”.
The amendment was *rejected*.

Mr. Knapik moved that the bill be amended, in Section 2, in item 2810-0100, by adding the following:- “provided that not less than \$100,000 shall be provided for Nashawannuck Pond in Easthampton;” and in said item, by striking out the figures “\$22,255,308” and inserting in place thereof the figures “\$22,355,308”.
The amendment was *rejected*.

Mr. Brewer moved that the bill be amended, in Section 2, in item 7007-0900, provided further, that not less than \$35,000 shall be expended to the Heritage Landscape Inventory Program in partnership with the Towns of Spencer, North Brookfield, East Brookfield, Brookfield, West Brookfield and Warren.
The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided that not less than \$100,000 shall be expended for the Hopkinton Athletic Association for facilitation, promotion, and coordination of regional trade and tourism activities in connection with the international ‘Running for the Human Race’ project” and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the figure “\$17,446,265”.
The amendment was *rejected*.

Ms. Spilka and Mr. Brown moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following words:- “provided further, that not less than \$250,000 shall be expended for the establishment of a law enforcement technology fund in the Town of Franklin”; and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:- “17,596,265”.
The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following words:- “provided further, that not less than \$250,000 shall be expended for the Medway Public Library”; and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:- “17,596,265”.
The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; and provided further that \$100,000 shall be expended for the historic preservation of the David Tilden House in Canton”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.
The amendment was *rejected*.

Messrs. Joyce and Creedon moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; and provided further that \$100,000 shall be expended for the purpose of restoration of the Unity Church in Easton”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.
The amendment was *rejected*.

Messrs. Joyce and Morrissey moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; and provided further that not less than \$100,000 shall be expended for an economic development grant in the Town of Braintree”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.
The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7004-0099, by adding the following: “; and provided further, that \$300,000 shall be expended to the Town of Randolph for the purpose of economic development and planning”; and in said item, by striking out the figures “\$8,520,831” and inserting in place thereof the figures “\$8,820,831”.
The amendment was *rejected*.

Ms. Tucker moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following: “provided further, that not less than \$105,000 shall be expended for Food of the World Pantry in Lawrence”; and in said item, by striking out the figure “\$8,520,831” and inserting in place thereof the figure “\$8,625,831”.
The amendment was *rejected*.

Ms. Tucker moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for Neighbors in Need in Lawrence”; and in said item, by striking out the figure “\$8,520,831” and inserting in place thereof the figure “\$8,620,831”.
The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following: “provided further, that not less than \$50,000 shall be expended for a human service academy pilot program to be operated by People Inc. of Fall River; provided further, that not less than \$10,000 shall be expended for the Medical Assistant Certificate

Program in Fall River”; and in said item , by striking out the figures “\$7,723,000” and inserting in place thereof the figures “\$7,783,000”.

The amendment was *rejected*.

Messrs. Joyce and Timilty moved that the bill be amended, in Section 2, in item 7004-0099, by adding the following: “; provided further that \$80,000 shall be expended to the town of Sharon for the purpose of developing a comprehensive plan”; and is said item by striking out the figure \$8,520,831” and inserting in place thereof the figure “\$8,600,831”.

The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 7007-0500, by adding at the end thereof the following: “provided that no less than \$85,000 shall be expended to the City of Lynn to promote a Biotechnology incubator space within the city’s Smart Growth District”; and in said item, by striking out the figures “\$700,000” and inserting in place thereof the figures “\$785,000”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended by inserting after SECTION __, the following new Section: -
“SECTION __. The town of Avon is hereby designated an economic target area as defined in section 3D of chapter 23A of the General Laws. Notwithstanding section 3A of said chapter 23A, this designation shall not require the consent of the economic assistance coordinating council. Qualified development projects within this area shall be eligible for tax deductions, credits and abatements and other economic incentives provided in said chapter 23A. This designation shall be in addition to the 20 economic target areas that are authorized to be established throughout the commonwealth under paragraph 5 of section 3E of said chapter 23A.

The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following:-“provided further, that \$100,000 shall be expended for the Grand Army of the Republic (GAR) Museum in the city of Lynn” and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,446,265”.

The amendment was *rejected*.

Mr. McGee and Ms. Candaras and Ms. Tucker moved that the bill be amended, in Section 2, in item 7003-0803 by striking out the figure “\$5,000,000” and inserting in place thereof the figure “\$6,000,000”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; provided further that \$300,000 shall be expended for the maintenance and use of the Trailside Museum and the Chickatawbut Hill center”; and is said item, by striking out the figure “\$17,346,265” and inserting in place thereof “\$17,646,265”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 3000-7050, by inserting after “Mass Family Networks program;” the following: “provided further that for the purpose of fostering early education in the areas of science, math, nutrition, health and fitness, as well as encouraging public access on the Boston waterfront and the enjoyment of Boston harbor, a payment to the Boston Children’s Museum of \$4,000,000 will be made, provided that a program of scheduled free group admission for the school children of the Commonwealth to the Museum shall be implemented and continued for a period of not less than twenty years from the effective date of this act; and provided further, that prior to such payment the Museum shall certify that the contribution of said funds shall be matched by contributions from private entities equal to 1 times the expenditures from this item;”; and in said item by striking out the figure “\$8,395,694” and inserting in place thereof “\$12,395,694”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7007-0900, by striking of the figure “\$17,346,265” and inserting in place thereof the following figure:- “\$18,317,277”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 7007-1300, by adding the following words;- “provided, that subject to final execution of the terms and conditions of a contract, the Council shall act on behalf of the Department of Business Development to assume the functions of the Massachusetts Office of International Trade and Investment as enabled by chapter 23, sections 23A through 28, inclusive, of the General Laws”. Senator Hart further moves that the bill be amended, in Section 2, in item 7007-1300, by striking out the figure \$960,000 and inserting in place thereof the following figure;- \$1,350,000.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended in section 2, by inserting after item 7003-0803 the following item:
“7003-1641 For a grant for the Small Business Association of New England for the layoff aversion through management assistance program for consultant and technical assistance to manufacturing companies in Massachusetts to prevent business

closure and employee displacement; provided, that the expenditure of the layoff aversion through management program as provided for in this item shall leverage at least \$1 in matching funds for every \$1 granted pursuant to this item; provided further, the president of the Small Business Association of New England shall file a quarterly report with the house and senate committees on ways and means, the joint committee on economic development and emerging technologies, and the joint committee on labor and workforce development on the number of employees and manufacturing-based companies that have received financial assistance through this item, a detailed description of the services provided to manufacturing companies in the commonwealth through the layoff aversion through management program, and a detailed account of the expenditures of the layoff aversion program, including administrative costs.....\$250,000.

The amendment was *rejected*.

Messrs. Joyce and Hart moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “; provided further that \$150,000 shall be expended for the Massachusetts Advocates for the Arts, Sciences, and Humanities” and in said item by striking out the figure “\$17,346,265” and inserting in place thereof the figure “\$17,496,265”.

The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in section 2, in line item 7007-0900 after the words “Zeiterion Performing Arts Center”, the following:- provided further, that not less than \$50,000 shall be expended for Chelsea Theatre Zone and further move to amend the item by striking “\$17,346,265” and insert in place thereof the following figure:- \$17,396,265

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following:- "provided further, that not less than \$750,000 shall be expended for a high school science program in biotechnology by Commonwealth Corporation, in consultation with the Massachusetts Biotechnology Council, including teacher and guidance counselor training, biotechnology lab equipment, and biotechnology lab supplies evaluation and technical assistance;" and in said item, by striking out the figure “\$7,723,000 ” and inserting in place thereof the following figure:- “\$8,473,000”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 7004-0099, by inserting at the end thereof the following:- “provided that \$40,000 shall be expended to the town of Hopedale for the site selection, design, and development of a final plan for the construction of a senior center in said town;” and in said item, by striking out the figure “\$8,520,831” and inserting in place thereof the following figure:- “\$8,560,831 ”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 7007-0515, by adding at the end thereof the following:- “provided further, that not less than \$100,000 shall be expended for a regional planning and economic development grant to the town of Uxbridge for the Four-Town Regional Economic Planning Project managed collaboratively by the towns of Douglas, Northbridge, Sutton, and Uxbridge;” and in said item, by striking out the figure “\$725,000” and inserting in place thereof the following figure:- “\$825,000”.

The amendment was *rejected*.

Messrs. Joyce and Augustus moved that the bill be amended, in Section 2, in item 7000-9506, by striking out the figures “\$2,851,000” and inserting in place thereof the following figure:- “\$4,000,000”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “provided further, that \$100,000 shall be expended for a public safety program in the town of Dudley;” and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:- “\$17,446,265”.

The amendment was *rejected*.

Mr. Baddour moved that the bill be amended, in Section 2, in item 7007-0900, by striking out the following:- “that not less than \$25,000 shall be expended for the economic development project at the Salisbury Chamber of Commerce.” and inserting in place thereof the following:- “that not less than \$50,000 shall be expended for the economic development project at the Salisbury Chamber of Commerce.”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,371,265”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended by inserting after SECTION ____, the following new Section:- “SECTION ____. Notwithstanding any general or special law to the contrary, not less than 10 days after the effective date of this act, the comptroller shall transfer \$10,000,000 from the General Fund to the Massachusetts Cultural Facilities Fund established pursuant to section 42 of chapter 23G of the General Laws.”

The amendment was *rejected*.

Ms. Tucker, Messrs. Barrios, Joyce, Augustus and O'Leary, Ms. Chandler, Messrs. Brewer and Tisei, Ms. Creem, Messrs. Downing and McGee, Ms. Spilka and Ms. Jehlen, Messrs. Tarr and Barrios and Ms. Chandler moved that the bill be amended, in Section 2, in item 7004-9030, by striking out the figure "\$3,500,000" and inserting in place thereof the following figure:- "\$4,500,000".

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 7007-0951, by striking out the figures "\$6,850,000" and inserting in place thereof the following figure:- "\$6,950,000".

The amendment was *rejected*.

Mr. Augustus moved that the bill be amended, in Section 2, in item 7003-0702, by adding at the end thereof the following:- "provided that \$50,000 be expended for the operation of a job training program at Quinsigamond Village Community Center in the city of Worcester"; and in said item, by striking out the figures "\$7,723,000" and inserting in place thereof the following figures "7,773,000".

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- " provided further that not less than \$100,000 shall be expended for the Women at Work Museum in the City of Attleboro"; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the figures "\$17,446,265".

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7007-0900, provided further, that not less than \$150,000 shall be expended for the Tri-County Chamber of Commerce and Regional Tourism Center for the restoration of the historic White's Farm House in the Town of Mansfield"; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the figures "\$17,496,265".

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: "provided further that not less than \$35,000 shall be expended for the completion of engineering studies plans, or any other work related to the Centennial Park in the town of Seekonk; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the figures "\$17,381,265".

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following:- " provided further that not less than \$400,000 shall be expended for open space planning in the town of Mansfield"; and in said item, by striking out the figures "\$8,520,831" and inserting in place thereof the figures "\$8,920,831".

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following:- " provided further that not less than \$400,000 shall be expended for open space planning in the town of Walpole"; and in said item, by striking out the figures "\$8,520,831" and inserting in place thereof the figures "\$8,920,831".

The amendment was *rejected*.

Mr. Augustus and Ms. Chandler moved that the bill be amended, in Section 2, in item 7003-0605, by striking the figure "\$850,000" and inserting in place thereof the figure "\$1,556,666".

The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7007-0900, by inserting at the end thereof the following:- "provided further, that not less than \$100,000 shall be expended for the Cape Cod Maritime Museum located in Hyannis"; and in said item, by striking out the figures "\$17,346,265" and inserting in place thereof the following figures "\$17,446,265".

The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7007-0900, by inserting at the end thereof the following:- "provided further that \$75,000 shall be expended for the Cultural Center of Cape Cod"; and in said item, by striking out the following figures "\$17,346,265" and inserting in place thereof the figures "\$17,421,265".

The amendment was *rejected*.

Ms. Fargo and Ms. Resor moved that the bill be amended, in Section 2, in item 7003-0702, by inserting after the words "Lower and Outer Cape Cod;" the following: "provided further, that not less than \$200,000 shall be made available to Emerson Hospital for a skills upgrading hospital based training program;" and in said item, by striking out the figure "\$7,723,000" and inserting in place thereof the figure "\$7,923,000".

The amendment was *rejected*.

Messrs. Downing and Havern moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “and provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,546,265”.

The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7007-0900, by inserting at the end thereof the following:- “provided further that not less than \$10,000 shall be expended to the Centerville Veterans’ Association in the town of Barnstable as a one-time matching grant to erect a statue honoring the Veterans of Foreign Wars in the Village of Centerville”; and in said item by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,356,265”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by inserting the following: “provided further, that not less than \$100,000 shall be expended for The Berkshire Museum, in the City of Pittsfield”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,446,265”.

The amendment was *rejected*.

Ms. Resor moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following:- “; provided that not less than \$25,000 shall be expended for the Marlborough Community Development Corporation”; and in said item by striking out the figures “\$115,250,000” and inserting in place thereof the figures “\$115,275,000”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following: “provided further that \$2,000,000 shall be expended for a parking garage to be constructed in downtown Brockton to improve commuter transportation.”; and in said item by striking the figures “\$8,520,831” and inserting in place thereof the figures “\$10,520,831”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “provided further, that not less than \$10,000 shall be made available to the Town of Dalton for the historic Hoose House”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,356,265”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “provided further, that not less than \$50,000 shall be made available to the Jacob’s Pillow Dance Festival”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,396,265”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 7004-2475, by adding at the end thereof the following:- “provided further that said program shall be made available to participants in the primary care workforce development and loan forgiveness grant program at community health centers notwithstanding the gross income of said participants; provided further that said participants shall agree to remain practicing at a Massachusetts Community Health Center for not less than five years; and provided further that not more than \$250,000 shall be expended for said participants.”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “provided further, that not less than \$200,000 shall be expended to the Mahaiwe Performing Arts Center in Great Barrington”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,546,265”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by inserting the following: “provided further, that not less than \$75,000 shall be expended for the Samuel Harrison House in the City of Pittsfield”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,421,265”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following: “provided further, that not less than \$200,000 shall be expended to The Boston Symphony Orchestra at Tanglewood”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,546,265”.

The amendment was *rejected*.

Mr. Hedlund and Ms. Resor moved that the bill be amended, in Section 2, in item 7007-0951, by striking out the figures “\$6,850,000” and inserting in place thereof the figures “\$6,950,000.”

The amendment was *rejected*.

Messrs. Downing and Buoniconti moved that the bill be amended, in Section 2, in item 7007-0900, by adding the following, “provided further, that not less than \$150,000 shall be expended by the western Massachusetts Economic Development Council for development, marketing, and advertising purposes”; and in said item, by striking out the figures “17,346,265” and inserting in place thereof the figures “\$17,496,265”.

The amendment was *rejected*.

Mr. Buoniconti and Ms. Candaras moved that the bill be amended, in Section 2, in item 7007-0900, by inserting in the last line, after the word “commerce” the following:- “Provided further, that not less than \$200,000 shall be expended for renovations to the former Bing Theater in the city of Springfield” and, also in said item strike the figures “\$17,346,265” and insert in place thereof the figures “\$17,546,265”

The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7007-0900 by inserting in the last line after “commerce” the following:- “Provided further, that not less than \$150,000 shall be expended for the installation of street lights in the Forest Park area of Springfield” and in said item by striking the figures “\$17,346,265” and inserting in place thereof the figures “\$17,496,265”

The amendment was *rejected*.

Mr. Hart moved that the bill be amended by inserting, after Section __ the following new section:

“SECTION __. SECTION 1. Section 593 of chapter 26 of the acts of 2003 is hereby repealed.

SECTION 2. The Massachusetts Convention Center Authority, in this section called the Authority, shall submit to the clerks of the senate and the house of representatives, the senate and house committees on ways and means and the senate and house committees on state administration a report on the feasibility of the improvement, expansion or enhancement of the Hynes Convention Center, in this act referred to as the Center, including the feasibility of incorporating commercial uses or facilities at the Center, to further attract and accommodate large gatherings of visitors and convention and meetings participants and to enhance the revenue and economic growth of the Center.

The report shall include:

- (a) a description of the proposed improvement, expansion or enhancement of the Center;
- (b) a description of the lands, structures, fixtures and facilities deemed necessary or appropriate by the Authority for the improvement, expansion or enhancement of the Center;
- (c) an estimate of the capital expenses anticipated by the Authority as necessary for the improvement, expansion or enhancement of the Center;
- (d) an estimate of the operational expenses anticipated by the Authority as necessary for the operation and maintenance of the improvement, expansion or enhancement of the Center; and
- (e) a description by the Authority of the sources of the funds required to meet the capital and operating costs, including projected income, associated with the improvement, expansion or enhancement of the Center.

The filing by the Authority with the clerks of the senate and house of representatives, the senate and house committees on ways and means and the senate and house committees on state administration of such report shall constitute full compliance with the provisions of section 38N of said chapter 190 of the acts of 1982 with respect to any capital facility project undertaken by the authority in accordance with this act.

The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7007-0951, by inserting in the last line following “zoo” the following language:- “provided further that not less than \$200,000 shall be expended for the Forest Park Zoo in the city of Springfield” and, also in said item, striking the figures “\$6,850,000” and inserting in place thereof the following figures “\$7,050,000”.

The amendment was *rejected*.

Ms. Wilkerson and Mr. Joyce moved that the bill be amended, in Section 2, in item 7003-0702, in line 9 by inserting after “Somerville;” the following, “ provided further, that \$200,000 shall be expended for the Boston Health Care and Research Training Institute;”.

The amendment was *rejected*.

Messrs. Rosenberg and Brewer moved that the bill be amended, in Section 2, in item 7002-0012, by adding after the word “commonwealth” the words “including the towns of Greenfield, Montague, Orange and Ware”.

The amendment was *rejected*.

Ms. Creem moved that the bill be amended, in Section 2, in item 7004-0099, by adding at the end thereof the following: “provided further, that \$100,000 shall be expended for repairs and renovations to the Hamilton Community Center in Newton Lower Falls;” and said item is further amended by striking out the figure “\$8, 520,831” and inserting in place thereof the

following figure “8,620,831”.
The amendment was *rejected*.

Messrs. Buoniconti and Knapik and Ms. Candaras moved that the bill be amended, in Section 2, in item 7003-0702, by striking “provided further, that not less than \$100,000 shall be expended on the Lower Pioneer Valley Educational Collaborative in West Springfield to develop an intergenerational educational service and student mentoring program; inserting in place thereof the following:- “Provided that not less than \$200,000 shall be expended on the Lower Pioneer Valley Educational Collaborative in West Springfield to develop new instructional programs for students with special needs;” and in said item by striking the figures “\$7,723,000” and inserting in place thereof the figures “\$7,923,000”.
The amendment was *rejected*.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 7007-0900, in line 11 by inserting after “commonwealth;” the following, “provided further, that not less than \$75,000 shall be expended to Boston City Lights;”.
The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 7007-0900 by inserting at the end thereof the following:- “provided further, that not less than \$300,000 shall be expended for the historic restoration of the Rockland Memorial Library”; and in said item, by striking out the figures “\$17,346,265” and inserting in place thereof the figures “\$17,646,265”.
The amendment was *rejected*.

Mr. Buoniconti and Ms. Candaras moved that the bill be amended, in Section 2, in item 7004-0099 by inserting in the last line following the word “corporation” the following language:- “;provided further, that not less than \$200,000 shall be expended for the Springfield Technical Assistance Program to be operated by the Affiliated Chambers of Commerce of Greater Springfield” and in said item by striking the figures “\$8,520,831” and inserting in place thereof the figures “\$8,720,831”.
The amendment was *rejected*.

Messrs. Buoniconti and Downing moved that the bill be amended, in Section 2, in item 7004-0099, by inserting in the last line after “corporation” the following:- “; Provided further that not less than \$500,000 shall be expended on the Western Massachusetts Revitalization Initiative to be administered by Housing Allowance Partnership;” and in said item by striking the figures “\$8,520,831” and inserting in place thereof the following “\$9,020,831”.
The amendment was *rejected*.

Mr. Brewer moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that \$25,000 shall be expended to the Spencer Veterans’ Memorial in the Town of Spencer”.
The amendment was *rejected*.

Ms. Chandler and Mr. Timilty moved that the bill be amended, in Section 2, in item 7007-0515, by striking out the words “and provided further, that \$125,000 shall be expended to the Massachusetts Alliance for Economic Development for enhancing economic development related services, including, but not limited to, implementation of a statewide online site finder to assist business growth” and inserting in place thereof the following words:- “,and provided further, that \$350,000 shall be expended to the Massachusetts Alliance for Economic Development for enhancing economic development related services, including, but not limited to, implementation of a statewide online site finder to assist business growth”.
The amendment was *rejected*.

Ms. Chandler and Messrs. Augustus and Timilty moved that the bill be amended, in Section 2, in item 7004-9405, by inserting after item 7004-9005 the following item:
“7004-9010 For the disbursement of grants to public housing authorities to operate programs to provide self-sufficiency services to seniors to prevent nursing home placement and to families to promote economic mobility1,000,000”.
The amendment was *rejected*.

Ms. Chandler and Messrs. Brewer, Antonioni moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following: “provided further, that not less than \$150,000 shall be expended for an environmental program in the Wachusett Regional School District”; and in said item, by striking out the figures “\$17,346,265” and “17,496,265”.
The amendment was *rejected*.

Ms. Chandler, Mr. Antonioni, Ms. Tucker, Ms. Candaras and Messrs. Tarr, Barrios and Joyce moved that the bill be amended, in Section 2, in item 7004-9024 by inserting after the words “Massachusetts rental voucher program; provided further that,” by adding the following words:- “for initial eligibility, the income of the households shall not exceed 200 percent of the federal poverty level;”.
The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus, Antonioni and Knapik, Ms. Wilkerson, Ms. Spilka, and Messrs. Timilty, Hart, Brewer, Barrios, O’Leary, Montigny, Downing and Joyce moved that the bill be amended, in Section 2, by inserting after item 7007-0300 the following item:

“7007-0334 For the operation of the office of small business and entrepreneurship and for grants to community development corporations, community development financial institutions or non-profit community-based organizations for the purpose of providing technical assistance or training programs to businesses with 20 employees or fewer.....1,500,000”

The amendment was *rejected*.

Ms. Wilkerson moved that the bill be amended, in Section 2, in item 7002-0012, by inserting after the words “year-round employment program” the following: “,provided further that funds not expended by October 1, 2008 shall be re-allocated to existing year-round youth employment programs; provided further, that funds shall be available for expenditure through June 30, 2009.”.

The amendment was *rejected*.

Mr. Tisei moved that the bill be amended, in Section 2, in item 7007-0900, by adding at the end thereof the following:- “provided further, that not less than \$10,000 shall be expended from this item for a public-private match for the Joshua Eaton clock tower in Reading;” and by striking out the figure “\$17,346,265” and inserting in place thereof the figure “\$17,356,265”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 7003-0702, by adding the following “provided further, that not less than \$500,000. shall be expended for educational, career development and employment service programs operated by the Urban League of Eastern Massachusetts” and in that item by striking the figures \$7,723,000 and inserting in place thereof the figures \$8,223,000.

The amendment was *rejected*.

Mr. Moore and Ms. Candaras moved that the bill be amended, in Section 2, in item 7007-1200, by adding at the end thereof the following:- “provided that \$5,000,000 shall be expended to the Massachusetts Technology Collaborative for the Massachusetts Hospitals Computerized Physician Order Entry Initiative (CPOE); provided further that said allocation shall be expended for an enhanced credit reserve fund to act as security for certain hospitals to borrow against when installing a CPOE system;”

The amendment was *rejected*.

Mr. Moore and Ms. Candaras moved that the bill be amended, in Section 2, in item 7007-1200, by adding at the end thereof the following:- “provided further that \$4,000,000 shall be expended to the Massachusetts Technology Collaborative for the continuation of the Massachusetts E-Health Initiative;” and in said item, by striking out the figure “\$250,000” and inserting in place thereof the following figure:- “\$4,250,000.”

The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 7003-0702 by adding at the end thereof the following: “provided further, that not less than \$250,000 shall be expended for Lynn Community Health Center for the purposes of skill upgrading and training in internet technology” and in said item by striking out the figures “\$21,000,000” and adding in place thereof the figures “\$21,250,000”.

The amendment was *rejected*.

Mr. McGee and Mr. Brown moved that the bill be amended, in Section 2, in item 7003-0702, by striking out, in the last line thereof, the following:- Workforce Training Fund.....100.0%

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7061-9404, by adding at the end thereof the following words:- “provided further, that not less than \$370,000 shall be allocated to the Framingham public schools to evaluate existing dual-immersion programs in the town of Framingham and elsewhere in the commonwealth including an evaluation of best practices and all professional development related to these programs; provided further, that any evaluation will examine the likelihood and efficiency of replication of these programs and practices in school districts with large percentage of English language learners; provided further that these funds may be expended for professional development related to these programs”; and in said item, by striking out the figure “11,604,139” and inserting in place thereof the following figure:- “11,974,139”.

The amendment was *rejected*.

Messrs. Havern, Brewer and McGee moved that the bill be amended, in Section 2, in item 7030-1003, by adding at the end thereof the following: “provided further that \$435,000 shall be expended for JFY.net, a Jobs for Youth Initiative for high technology, literacy and job skill instruction to youth and adults through advanced software and existing infrastructure capacity in schools and community agencies”, and in said item by striking out the figure “3,003,976” and inserting in place thereof the figure “\$3,453,976”.

The amendment was *rejected*.

Mr. Antonioni moved that the bill be amended, in Section 2, in item 7110-0100, by striking the word “funds” and inserting in

place thereof the following:- “not less than \$500,000” and in said item by striking out the figure “\$26,997,992” and inserting in place thereof the following:- “\$27,497,992”.

The amendment was *rejected*.

Ms. Jehlen, Mr. Moore, Ms. Chandler, Messrs. Barrios and Tarr moved that the bill be amended by adding the following section:- “SECTION __: Chapter 71, Section 89 of the General Laws is hereby amended by striking out subsection (o) and adding the following subsection:

Each charter school shall annually, no later than April 1, notify each public school district in writing of the number of students who will be attending the charter school from the district the following September as well as the number of new students who will be transferring from that district to the charter school in the following September. Enrollment figures should be based on the previous year’s enrollment in a manner identical to the calculation of a district’s chapter 70 aid. Except in the case of charter schools that have been open less than five years or charter schools that have received approval from the Department of Education in the past year to increase enrollment, first quarter tuition payments would be based on their previous year’s enrollment figure, with payments in subsequent quarters based on actual enrollment figures as of October 1. For charter schools that have been open less than five years or schools that have received approval from the Department of Education in the past year to increase enrollment, first quarter payments will be based on projected enrollment figures.”

The amendment was *rejected*.

Ms. Jehlen, Mr. Moore, Ms. Chandler and Mr. Barrios moved that the bill be amended adding the following section:-

“SECTION __: The Department of Education shall procure a full and independent review of the effectiveness of charter schools in Massachusetts, to be conducted by a reputable entity not affiliated with charter schools or regular public schools in the Commonwealth. Said study shall examine existing policies governing charter schools as well as all charter schools presently operating in Massachusetts; provided further, that said study shall provide insight into how well charter schools are advancing reforms in Massachusetts, how well they are serving Massachusetts children, and how well they are meeting the mission of replicable innovation defined for them in the Education Reform Act of 1993. Said shall analyze: 1. The pattern of student, teacher and administrative attrition in comparison with sending school districts to assess the stability of the instructional program and leadership provided by the charter school and to assess the ability of charter schools to retain students and highly qualified personnel; 2. Student recruitment and enrollment patterns, particularly for subgroups identified under the No Child Left Behind Act, in order to ascertain the degree to which charter schools reflect the student distribution of sending school districts, and further the study shall assess the attrition rate for various subgroups in order to identify the type of students who leave the charter school and the reasons for leaving; 3. The qualifications and certifications of teachers and administrators staffing the charter schools to assess the degree to which children are taught by highly qualified personnel; 4. The accuracy of the waiting lists currently reported for enrollment in charter schools; 5. Due process compliance for special education and English language learners and the degree to which charter schools make appropriate accommodations for these students; 6. Compliance with statutes governing the operations of public institutions such as the open meeting law, public bidding laws, and the public records law; 7. The degree to which the charter schools’ programs are consistent with and sustain the original intent outlined in the approved application of said charter school; 8. The degree to which charter schools have created innovative teaching and learning models applicable to the sending public schools and have shared this information with the sending public schools; 9. The pattern of spending for various categories identified in the End-of-the-Year report such as administration, financial management, instruction, special education, maintenance, etc. in comparison with the sending public schools; 10. The general management of charter school student discipline through expulsions, suspensions and other disciplinary actions; 11. Improvement in charter school student performance as compared to that of the sending school districts; 12. Identification of particularly successful and unsuccessful educational practices among charter schools with a delineation of those successful practices that may be replicable within public schools. This study shall be completed by no later than March 15th, 2008, a copy of which shall be filed with the Clerk of the House of Representatives, the Clerk of the Senate, the Chairs of the House and Senate Committees on Ways and Means, and the Chairs of the Joint Committee on Education by no later than March 19th, 2008.”

The amendment was *rejected*.

Messrs. Antonioni and Augustus and Ms. Creem moved that the bill be amended, in Section 2, in item 7010-0005, by inserting after the phrase “prevention efforts;” the following:- “provided further, that not less than \$1,000,000 shall be expended for the international education and foreign language grant program fund established pursuant to section 2VVV of chapter 29 of the General Laws, as inserted by chapter 168 of the acts of 2006”, and that said item be further amended by striking the figures “\$13,747,893” and inserting in place thereof the following figures:- “\$14,747,893”.

The amendment was *rejected*.

Mr. Antonioni moved that the bill be amended by adding after Section 85 the following new section:-

“SECTION . Section 2VVV of chapter 29 of the General Laws, as inserted by chapter 168 of the acts of 2006, is hereby amended in the third sentence of subsection (a) by inserting, after the words “shall be used,” the following words: “, without further appropriation.”

The amendment was *rejected*.

Ms. Jehlen and Messrs. Barrios, Tarr and McGee moved that the bill be amended, in Section 2, in item 7061-9010 by inserting after “\$849;” the following: “and provided further, that if the amount received by any operating city, town or regional school district for the direct support of local public schools from item 7061-0008, after deductions for tuition payments and partial

reimbursement of deductions under section 89 of Chapter 71, would result in an increase in the net amount available for appropriation locally for schools of less than \$50 per student, the reimbursement made under this item shall be increased to provide each operating school district an actual net school aid increase, after any deductions and reimbursements under section 89, of not less than \$50 per student in fiscal 2008"; and in said item by striking out the figures "73,790,525" and inserting in place thereof the figures "79,125,009".

The amendment was *rejected*.

Messrs. Antonioni and Knapik moved that the bill be amended, in Section 2, in item 7030-1005, by striking the figure "\$2,900,000" at the end thereof and inserting in place thereof the figure:- "\$3,400,000".

The amendment was *rejected*.

Ms. Menard , Ms. Candaras and Mr. McGee moved that the bill be amended, in Section 2, in item 7066-0015, by striking out the figure "\$2,000,000" and in place thereof the following figure:- "\$2,300,000".

The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 7061-9611 by adding at the end thereof the following: "provided further, that not less than \$250,000 shall be expended for Girls, Inc. in the city of Lynn for improvements to their program as approved by the Board of Directors of said organization" and in said item, by striking out the figures "\$1,000,000" and inserting in place thereof the following "\$1,250,000".

The amendment was *rejected*.

Messrs. Hart and Brewer and Ms. Walsh moved that the bill be amended, in Section 2, by inserting after item 7061-0012 the following item:

"7061-0029 For the office of educational quality and accountability established under section 55A of chapter 15 of the General Laws.....\$2,974,554"

The amendment was *rejected*.

Mr. Hart moved that the bill be amended by inserting, after Section __ the following new Section:-

"SECTION X. Section 7027-0016 of Chapter 149 of the Acts of 2006 shall be amended by inserting after the words "Medical Academic Scientific Community Organization" the words "provided further, said funds for the John D. O'Bryant School shall be available for expenditure until June 30, 2008."

The amendment was *rejected*.

Mr. McGee, Ms. Candaras and Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7061-9661, by striking out the figures "\$1,000,000" and inserting in place thereof the figures "2,000,000."

The amendment was *rejected*.

Messrs. Antonioni, Augustus and Moore, Ms. Creem, Ms. Spilka, Ms. Jehlen and Mr. Tarr moved that the bill be amended, in Section 2, in item 7061-9600, by adding at the end thereof the following: "provided further that not more than \$50,000 shall be distributed to the Board of Higher Education in order to increase the capacity of public institutions of higher education to include students with severe disabilities in the concurrent enrollment pilot program; provided further, that not more than \$25,000 shall be allocated to the Department of Education to provide training and technical assistance to school districts for program implementation; and provided further, that for the purpose of this item, appropriated funds may be expended through August 31, 2008"; and in said item, by striking out the figure "\$1,500,000" and inserting in place thereof the figure "\$1,575,000".

The amendment was *rejected*.

Messrs. Joyce, Moore, and Tarr moved that the bill be amended by inserting after SECTION ____, the following new Section:-

"SECTION ____. Notwithstanding section 72 of chapter 44 of the General Laws or any other general or special law to the contrary, any funds received by a city, town or regional school district pursuant to said section 72 shall be considered unrestricted revenue of the city, town or regional school district. Commencing in fiscal year 2006, and every year thereafter, a city or town shall deposit in a separate account for expenditures by the school committee not less than 50 percent of any such funds received. A school committee may receive a percentage of such amount that is larger than said 50 percent if the committee negotiates an agreement with the executive body of the city or town to receive such a larger percentage. A school committee may make expenditures from the separate account for any lawful educational purpose without further appropriation. Any expenditure from said account on items qualifying as net school spending shall supplement the net school spending requirement of the district. The receipt of such funds shall not affect the calculation of the minimum required local contribution and state school aid as defined in section 2 of chapter 70 of the General Laws."

The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in Section 2, in item 3000-6000, by striking out the following phrase: "provided further, that the department may only expend funds appropriated in this item under the CC, MM, PP, or RR object classes;".

The amendment was *rejected*.

Messrs. Antonioni and Barrios moved that the bill be amended, in Section 2, in item 7061-9614, by inserting at the end thereof the following:- “; provided further, that up to \$250,000 shall be allocated for evaluation and replication of programs funded under subsection (b) of said section 1N of said chapter 69”; and in said item by striking out the figures “\$1,195,114” and inserting in place thereof the figures:- “\$1,500,000”.

The amendment was *rejected*.

Mr. Antonioni, Ms. Spilka, Ms. Tucker and Messrs. Baddour and Joyce moved that the bill be amended, in Section 2, in item 7061-0012, by striking out the figure "\$9,250,000" and inserting in place thereof the following figure:- "\$11,250,000"; and in said item, by striking out the figure "\$8,000,000" and inserting in place thereof the following figure:- "\$10,000,000"; and in said item by striking out the figure "\$220,000,000" and inserting in place thereof the following figure:- "\$222,000,000".

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7061-9611, by striking out the following figure “\$1,000,000” and inserting in place thereof the following figure:- “\$2,000,000”.

The amendment was *rejected*.

Ms. Resor, Ms. Fargo, Ms. Spilka, Ms. Creem, Ms. Walsh, Messrs. Moore, Augustus, Havern, Knapik, Timilty, Hedlund and Tarr and Ms. Tucker moved that the bill be amended, in Section 2, by inserting after item 7100-0300 the following line item:- “7100-0340: For research on breast cancer prevention administered by the University of Massachusetts at Lowell, in collaboration with the Silent Spring Institute and the Massachusetts Breast Cancer Coalition....\$250,000.”

The amendment was *rejected*.

Ms. Spilka, Ms. Jehlen and Mr. Timilty moved that the bill be amended, in Section 2, in item 7066-0000, by adding at the end thereof the following:- “; and provided further that not less than \$50,000 shall be expended on a plan to introduce a deaf studies/American sign language curriculum in community and state colleges with a report to the house and senate ways and means committees no later than January 30, 2008”; and in said item by striking out the figure "\$2,875,766" and inserting in place thereof the following figure:- "\$2,925,766".

The amendment was *rejected*.

Ms. Creem, Ms. Tucker and Messrs. Timilty, Brewer and Barrios moved that the bill be amended, in Section 2, in item 3000-7050, in line 4 by striking the figure, “3,000,000” and inserting in place thereof the following figure, “3,650,000”; and further amended by adding after the words, “Parent-Child Home Program” the following:- “provided further, that, of said \$3,650,000, the department shall distribute not less than \$3,000,000 to expand capacity at existing Parent-Child Home Program sites not later than August 15, 2007, in order to allow a full year of service for parents involved in said programs; provided further, that of said \$3,650,000, the department shall distribute not less than \$150,000 to fund an evaluation of The Parent-Child Home Program on school performance of Program graduates once they enter elementary school in order to effectively document the impact of the Program; provided further, that for grants to Parent-Child Home Program sites that have previously been funded in large part by Title I grants, the department shall distribute not less than \$500,000 to those Parent-Child Home Program sites that have had their Title I funds reduced due to reductions in the use of Title I funding in Massachusetts for early education programming”; and is further amended at the end by striking out the figure “\$8,395,694” and inserting in place thereof the figure “9,045,694”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item by inserting after item 7061-9804 the following item: “7061-9805 For a multi-purpose artificial playing/athletic field and running track with handicap access at Oliver Ames High School, Easton, MA.....\$50,000”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 7113-0100, by striking out the figures “\$13,937,728” and inserting in place thereof the figures “\$14,217,728”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 7027-0016, by adding at the end thereof the following: “; provided further, that not less than \$300,000 shall be expended for funding a life skill management skill program through the Amer-I-Can Program in Brockton”; and in said item by striking out the figures “\$2,162,975” and inserting in place thereof the figures “\$2,462,975”

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, after line item 7113-0100 by inserting new line item 7113-XXXX, and adding the following item: “the Massachusetts College of Liberal Arts; provided for MCLA Gallery 51, (or G-51), an extension of the MCLA campus in downtown North Adams.....\$75,000”.

The amendment was *rejected*.

Messrs. Antonioni and Timilty, Ms. Resor and Messrs. Baddour and Joyce moved that the bill be amended, in Section 2, in item 3000-2025, by striking out the figure "\$14,174,695" and inserting in place thereof the following figure:- "\$14,674,695".
The amendment was *rejected*.

Messrs. Rosenberg, O'Leary, Creedon, and Augustus, Ms. Tucker, and Ms. Candaras moved that the bill be amended, in Section 2, in item 7027-0016, by striking out the following:- "not less than \$100,000 shall be provided for the Diploma Plus dropout prevention program in partnership with the Commonwealth Corporation and the department of education" and inserting in place thereof the following:- "not less than \$200,000 shall be provided for the Diploma Plus dropout prevention program in partnership with the Commonwealth Corporation".
The amendment was *rejected*.

Messrs. Brown and Barrios moved that the bill be amended by inserting, after Section ____, the following new Section:-
"SECTION __. Chapter 15A of the General Laws is hereby amended by inserting after section 5 the following section:-
Section 5A. For the purposes of this chapter, those community colleges within the system of public institutions of higher education described in section 5 shall collectively be known as the Governor Foster Furcolo Community College System."
The amendment was *rejected*.

Mr. Rosenberg, Ms. Candaras and Mr. McGee moved that the bill be amended, in Section 2, by inserting after item 7066-0100, the following item:-
"7066-0115 For the purposes of implementing section 15E of chapter 15A of the General Laws to encourage private fundraising by the commonwealth's public institutions of higher education for the endowments and capital outlay programs of those institutions; provided, that funds shall be disbursed on a quarterly basis in proportion to the amount of funds raised by each institution; provided further, that the board of higher education shall implement this program in a manner which ensures that each institution shall have an equal opportunity to secure matching funds from this item; provided further, that \$7,000,000 shall be allocated to University of Massachusetts campuses; provided further, that \$3,000,000 shall be allocated to state college campuses; and provided further, that \$3,000,000 shall be allocated to community college campuses; and provided further, that if any funds allocated herein for disbursement to state and community college campuses shall be unused, the remaining funds shall be made available to University of Massachusetts' campuses.....\$13,000,000"
The amendment was *rejected*.

Messrs. Brewer, Augustus, and Antonioni and Ms. Chandler moved that the bill be amended, in Section 2, in item 7010-0216, by adding at the end thereof the following: "provided further, that not less than \$600,000 shall be expended to the Eagle Hill School Teacher Induction Training Program for the purposes of operating a teacher induction training pilot program for the cities of Boston, Fitchburg, Framingham, Springfield and Worcester, **provided that these funds may be expended through August 31, 2008 to allow for teacher training which occurs in the summer months**"; in said item by striking out the figures "\$595,881" and inserting in place thereof the figures "\$1,195,881".
The amendment was *rejected*.

Mr. Brewer and Ms. Spilka moved that the bill be amended, in Section 2, in item 7100-0200, by inserting at the end thereof the following: "provided further, that not less than \$21,000 shall be expended for Operation Military Kids"; and in said item, by striking out the figure "\$469,012,776" and inserting in place thereof the figures "\$469,033,776".
The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 7061-9404, by inserting the following:- "provided further, that \$300,000 shall be transferred to the Efficacy Institute for work in 'Campaigns for Proficiency' in Springfield, Boston and Lawrence, to be used for training public school teachers and youth workers in after-school programs in methods for using assessment data to develop effective strategies to improve student performance on the MCAS;" and in said item by striking the figures "\$11,604,139" and inserting in place thereof the figures "\$11,904,139".
The amendment was *rejected*.

Mr. Buoniconti and Ms. Candaras moved that the bill be amended, in Section 2, in item 7514-0100, by striking the figures "\$24,367,621" and inserting in place thereof the figures "\$24,592,621".
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 3000-1000, by striking out the figure "\$11,567,320" and inserting in place thereof the following figure:- "\$11,511,717".
The amendment was *rejected*.

Ms. Spilka and Mr. Havern moved that the bill be amended by inserting, after Section ____, the following new Section:-
"SECTION __. Provided further that the Department of Early Education and Care will collaborate with a Massachusetts based institution of higher learning to design a workforce development system for training and education of early education and

care providers to meet the emerging need for a career ladder in that field. Said program shall focus on the recruitment into that workforce, those who might not otherwise finish high school, those who are have had some post-secondary education but are not on a career path, those who are recent immigrants, those who have been out of the workforce for some time and are re-entering and those who are endeavoring to be independent from state or federal income assistance. Said program should be statewide in nature, be available at local sites in at least three urban centers, provide linguistic, academic and counseling support for said students and provide for matriculation and completion of credentials that will allow for increasing professional progression in the field of early education and care. The department will then request funds for a pilot program of the type described herein at a minimum of three sites for at least three years, after which an evaluation shall be conducted by the department which shall report the results of said evaluation to the House and Senate Ways and Means Committees, the House and Senate Committees on Education and House and Senate Committees on Children, Families and Persons with Disabilities.”

The amendment was *rejected*.

Ms. Spilka, Ms. Tucker, Ms. Jehlen, Ms. Creem, Ms. Candaras, and Messrs. Moore, McGee, Augustus, Timilty, Brown, Hedlund, Tarr, Barrios and Haven moved that the bill be amended by inserting, after Section ____, the following new section:- “SECTION ____. Section 5A of Chapter 71b, as appearing in the 2004 Official Edition, is hereby amended in lines 56, 57 and 58 by striking out the following words:- ‘The costs of programs shall be reimbursed at 75 per cent of all the approved costs that exceed 4 times the state average per pupil foundation budget, as defined in said chapter 70, for the previous fiscal year’ and replacing it with the following words: ‘The costs of programs shall be reimbursed at 75 per cent of all the approved costs that exceed 3 times the state average per pupil foundation budget, as defined in said chapter 70, for the previous fiscal year’; and to amend at lines 63, 64 and 65 by striking out the following words:- ‘shall be 100 per cent of all the approved costs that exceed 4 times the state average per pupil foundation budget’ and inserting in line 63 after the word ‘services’ the following words:- ‘shall be 100 per cent of all the approved costs that exceed 3 times the state average per pupil foundation budget’”.

The amendment was *rejected*.

Mr. Knapik moved that the bill be amended, in Section 2, in item 7004-0099, by inserting after the words “Children and Family Program;” the following:- “provided further, that \$150,000 shall be provided to World Is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee, and Greenfield” and in said item, by striking out the figures “\$8,520,831” and inserting in place thereof the figures “\$8,670,831.”

The amendment was *rejected*.

Mr. Knapik moved that the bill be amended, in Section 2, in item 7061-9614, by adding the following:-“provided that not less than \$100,000 shall be expended for the Mount Tom Academy” and in said item, by striking out the figures “\$1,195,114” and inserting in place thereof the figures “\$1,295,114”.

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 7061-0011, by adding after the words “greater than 80 percent of their foundation budgets” the following words:- “(9) to assist towns in suburban areas which received reductions in chapter 70 aid between fiscal year 2003 and fiscal year 2005 of greater than 10% and which meet each of the following criteria: (a) the town’s chapter 70 aid as a percent of actual net school spending remained less in fiscal year 2007 than it was in fiscal year 2002; (b) the town’s required local contribution for fiscal years 2007 and 2008 is greater than 81%; and (c) the town has experienced an increase in the enrollment of English language learners between fiscal year 2004 and fiscal year 2007 of greater than 36%; provided further that preference in awarding of funds pursuant to this proviso shall be given to municipalities that were not awarded funds from this item in fiscal year 2007;” and in said item, by striking out the figure “\$3,500,000” and inserting in place thereof the figure:- “\$5,500,000”.

The amendment was *rejected*.

Ms. Spilka, Ms. Tucker and Mr. Tarr moved that the bill be amended by inserting, after Section ____, the following new Section:- “SECTION ____. Section 3 of Chapter 70, as appearing in the 2004 Official Edition, is hereby amended in lines 9-17 by striking out the following words:- “The foundation budget shall be calculated using foundation enrollments for the respective fiscal years as estimated by the department according to the procedures outlined in section 2. The monetary factors used in calculating the foundation budget for such years shall be adjusted for inflation by multiplying each such factor by the foundation inflation index. The factors to be inflated shall be the monetary values for the foundation payroll, foundation nonsalary expenses, professional development allotment, expanded program allotment, extraordinary maintenance allotment and book and equipment allotment.” And to amend at lines 7-8 by inserting after the word “effective.” the following words:- “The foundation budget shall be calculated using foundation enrollments for the respective fiscal years as estimated by the department according to the procedures outlined in section 2 and shall be increased annually as required by this paragraph . The monetary factors used in calculating the foundation budget for such years shall be adjusted for inflation by multiplying each such factor by the foundation inflation index. The factors to be inflated shall be the monetary values for the foundation payroll, foundation nonsalary expenses, professional development allotment, expanded program allotment, extraordinary maintenance allotment and book and equipment allotment. Additionally, cities, towns and districts of the Commonwealth will receive extraordinary special education aid according to the following formula: In fiscal year 2008 school districts will receive eighty percent of all special education costs, including transportation costs if the city, town, or district utilizes a regional transportation network to reduce transportation costs or other

collaborative and demonstrated efforts to reduce such costs, above 3.75 times the per pupil foundation budget; eighty percent of all such costs above 3.5 times the per pupil foundation budget for fiscal year 2009; eighty percent of all such costs above 3.25 per pupil foundation budget for fiscal year 2010 and eighty percent of all such costs above 3.0 times the per pupil foundation budget for fiscal year 2011. Cities, towns and school districts will be eligible for extraordinary special education funding from the Commonwealth will be distributed to cities, towns and districts in the budget year that the tuition are payable.”

The amendment was *rejected*.

Messrs. Brewer and Antonioni moved that the bill be amended, in Section 2, in item 8900-0001, by adding at the end the following: “provided further, that not less than \$40,000 shall be expended for the department to reinstate the American Veterans in Prison wooden toy building program at the North Central Corrections Institute at Gardner”; and in said item, by striking out the figures “461,618,601” and inserting in place thereof the figures “461,658,601”.

The amendment was *rejected*.

Mr. Brewer moved that the bill be amended, in Section 2, in item 8000-0000, by adding at the end thereof the following: “provided further, that not less than \$45,000 shall be expended to the Bondsville Fire and Water District for the purpose of purchasing turnout gear”; and in said item by striking the figures “2,464,443” and inserting in place thereof the figures “2,509,443”.

The amendment was *rejected*.

Messrs. Hart and Barrios, Ms. Wilkerson moved that the bill be amended, in Section 2, in item 0810-0000, by striking out the words “that not more than \$200,000 shall be provided for the Dorchester Youth Collaborative” and inserting in place thereof “provided further that not more than \$400,000 be provided or the Dorchester Youth Collaborative”; and in said item, by striking out the figures \$26,705,871 and inserting in place thereof the figures \$26,905,871.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 8000-0619, by adding at the end thereof the following:- “provided, further, that the S.A.F.E. Program shall include a safety assessment for elders to reduce falls among older adults;” and in said item, by striking out the figure “\$1,078,666” and inserting in place thereof the following figure:- “\$1,500,000 ”.

The amendment was *rejected*.

Mr. Baddour, Ms. Tucker, Messrs. Tarr, and McGee moved that the bill be amended, in Section 2, in item 4590-1505, by striking out the figure “\$45,786,520” and inserting in place thereof the following:- “\$44,961,520”.

The amendment was *rejected*.

Mr. Baddour, Ms. Tucker, Messrs. Tarr and McGee moved that the bill be amended, in Section 2, in item 8910-0619, by striking out the figure “\$43,369,034” and inserting in place thereof the following:- “\$44,194,034”.

The amendment was *rejected*.

Mr. Baddour, Ms. Tucker, Messrs. Tarr and McGee moved that the bill be amended, in Section 2, in item 8910-0619, by striking out the figure “\$43,369,034” and inserting in place thereof the following:- “\$44,038,034”.

The amendment was *rejected*.

Messrs. Timilty and Barrios moved that the bill be amended, in Section 2, in item 8000-0040, by striking out the figures “\$50,202,122” and inserting in place thereof the following figures:- “\$54,202,122”.

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 4590-1505, by striking out the figures “\$45,786,520” and inserting in place thereof the following figures:- “\$45,036,520”.

The amendment was *rejected*.

Mr. Timilty moved that the bill be amended, in Section 2, in item 8910-0000, by striking out the figures “\$185,948,998” and inserting in place thereof the following figures:- “\$186,698,998”.

The amendment was *rejected*.

Mr. Baddour moved that the bill be amended, in Section 2, in item 8100-0000, by striking out the figure “\$257,437,906” and inserting in place thereof the figure:- “\$260,148,052”.

The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 8910-0145, by adding the following: “provided further, that not less than \$125,000, subject to a 100 per cent matching fund, shall be available for the Juvenile Resource Center”; and in said item, by striking out the figures “14,993,973” and inserting in place thereof the figures “\$15,118,973”.

The amendment was *rejected*.

Ms. Resor moved that the bill be amended, in Section 2, in item 0332-0100, by adding at the end thereof the following:- “; provided further that \$153,000 shall be provided for the Ayer District Court – Adult Drug Court Program (ADCP)”;

and in said item, by striking out the figure “\$39,147,707” and inserting in place thereof the figure “\$39,300,707”.

The amendment was *rejected*.

Messrs. Creedon and Joyce moved that the bill be amended, in Section 2, in item 8000-0010, the following item:

“8000-0011 For the town of East Bridgewater for installing security cameras and card access door reader systems in the public schools and Town office buildings.....\$200,000

The amendment was *rejected*.

Messrs. Augustus, Brewer, Antonioni and Moore, Ms. Chandler and Ms. Resor moved that the bill be amended, in Section 2, in item 8910-0105, by striking the figure “\$43,753,795” and inserting in place thereof the figure:- “\$46,490,307”.

The amendment was *rejected*.

Messrs. Brown, Knapik, and Timilty moved that the bill be amended by inserting, after Section____, the following new Section:-

“ SECTION ____ . Section 2 of Chapter 139 of the Acts of 2006 in item 8000-0125, is hereby amended by striking words after the words “General Fund” and inserting the following at the end thereof:- “; into a new retained revenue account hereby established under the executive office of public safety and directed to the sex offender registry board to be used to expand the victim services unit.”

The amendment was *rejected*.

Messrs. Brown, Knapik, and Timilty moved that the bill be amended by inserting, after Section____, the following new Section:-

“SECTION ____ . Paragraph (b) of subsection (2) of section 178K of chapter 6 of the General Laws, as most recently amended by section 20 of chapter 77 of the acts of 2003, is hereby further amended by inserting after the first sentence the following 2 sentences:- If an offender designated as a level 2 offender was convicted of a sex offense involving a child, such offender shall be given a level 2(a) designation and shall be subject to the level 3 community notification plan. If an offender designated as a level 2 offender committed any offense other than a sex offense involving a child, such offender shall be given a level 2(b) designation and shall be subject to the requirements of a level 2 offender.”

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 8910-0188, by striking out the figures “\$1,300,000” and inserting in place thereof the figures “2,000,000”.

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 8910-0108 by striking out the figures \$8,352,332” and inserting in place thereof the figures “8,516,988”.

The amendment was *rejected*.

Messrs. Brewer and Augustus and Ms. Chandler moved that the bill be amended, in Section 2, in item 8000-0125, by adding at the end the following wording:- “provided further, that not less than \$75,000 shall be expended for the Molly Bish Center at Anna Maria College”; and in said item, by striking out the figures “\$3,921,069” and inserting in place thereof the figures “\$3,996,069”.

The amendment was *rejected*.

Mr. Rosenberg and Ms. Candaras moved that the bill be amended, in Section 2, in item 8910-0110, by striking out the figures “\$12,100,351” and inserting in place thereof the figures “\$12,918,492”.

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 8000-0010, by inserting after the words “non-related overtime;” the following- “provided further, that \$30,000 shall be expended for community policing in the town of Shutesbury;”.

The amendment was *rejected*.

Mr. Augustus moved that the bill be amended, in Section 2, in item by striking out the words, “provided further, that no funds shall be expended from this item for pharmacy services; and provided further, that all costs associated with pharmacy services shall be paid out of item 4590-1505.”; and in item 4590-1505, by inserting, in line 4, after the words “county sheriff”, the following: “, except the Worcester County Sheriff’s Office;”.

The amendment was *rejected*.

Messrs. Buoniconti, Knapik and Candaras moved that the bill be amended, in Section 2, in item 7007-0900 by inserting the following:-

“Provided further that not less than \$175,000 shall be expended for the Springfield Business Improvement District in the city of

Springfield;” and in said item by striking the figure “\$17,346,265” and inserting in place thereof the figure “\$17,521,265”.
The amendment was *rejected*.

Messrs. Tarr and Brown moved that the bill be amended, in Section 2, in item 8324-0000, by adding at the end thereof the following: “provided further, that not less than \$100,000 shall be expended for the administration of a statewide program to provide for critical incident stress intervention for the fire departments of the cities, towns, and fire districts of the commonwealth including, but not limited to, consultant services, training, equipment and supplies”.
The amendment was *rejected*.

Messrs. Tarr, Knapik, Hedlund and Brown moved that the bill be amended in Section 2, by inserting after item 8000-0040 the following item:-
8000-0050 For the firefighting equipment grant program for fire departments of every city, town, fire district and authority of the commonwealth to be administered by the executive office of public safety; provided that grants shall be distributed to municipalities according to a formula giving proportionate weight to each municipality’s population; provided further, that eligible fire safety equipment under this program shall include, but is not limited to, turnout gear, hand-held power lights, communication devices, telephones, personal alert safety systems, so- called, air packs, tanks, compressors, thermal imaging devices and computerized personnel accountability systems, but shall exclude firefighter apparatus and vehicles; provided further that grants awarded by said executive office to a municipality under said program shall not be utilized for the purpose of personnel costs unless such costs constitute 50 percent or less of the total grant award; provided further that no grant shall be awarded to the department of fire services; provided further that not later than February 1, 2008 , the executive office of public safety shall submit a report to the house and senate committees on ways and means and to the secretary for administration and finance detailing the amount of grants awarded to said grant recipients and descriptions of said grants and each municipality will provide the executive office of public safety with a comprehensive list of the best-practices that have been instituted as a result of these grants.....\$10,000,000
The amendment was *rejected*.

Mr. Brown moved that the bill be amended by inserting, after Section ____, the following new Section:-
“SECTION ____ . Section 108L of chapter 41 of the General Laws as appearing in the 2004 Official Edition is hereby amended by inserting after the word “enforcement.” in line 23 the following new sentence:- Any full-time member of a police department participating by taking approved coursework at an accredited college or university shall not be responsible for fees from the college or university associated with enrollment in the approved course or courses.”
The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, in item 8000-0105, in item 8000-0105, by striking out the figures “\$7,719,907” and inserting in place thereof the figures “\$7,917,930”.
The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, in item 8900-0001, by striking out the figures “\$461,618,601” and inserting in place thereof the figures “\$484,613,699”.
The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, in item 8000-0106, by striking out the figure “\$15,229,617” and inserting in place thereof the figure “\$15,706,474”.
The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, by inserting after item 8200-0200, the following item:-
“8200-0210 For the operation of established police training academies; provided, that funds shall be expended for the provision of training instructors and courses, technology, training materials, training facilities and professional development of training personnel; provided further, that not less than \$100,000 shall be awarded to the Lowell Police Training Facility; provided further, that not less than \$100,000 shall be awarded to the Springfield Police Training Facility; provided further, that not less than \$200,000 shall be awarded to the Worcester Police Training Facility; and provided further, that not less than \$100,000 shall be provided for the Massachusetts Bay Transit Authority Police Training Facility..... \$600,000”
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-
“SECTION 86. Section 69 of chapter 143 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out the second paragraph in its entirety and inserting in place thereof the following new paragraph:-
The board of elevator regulations shall hold public hearings on the first Wednesday in May and October in each year, and at such other times as it may determine, on petitions for changes in the regulations formulated by it. If, after any such hearing, it shall deem it advisable to make changes in said regulations, it shall appoint a day for further hearing, and shall give notice thereof and

of the changes proposed by advertising in at least one newspaper in each of the cities of Boston, Worcester, Springfield, Fall River, Lowell and Lynn, at least ten days before said hearing, and by notifying all affected building owners by electronic notification (via e-mail) and written notice (US Mail) at least ten days before said hearing. If the board on its own initiative contemplates changes in said regulations, like notice and a hearing shall be given and held thirty days before the adoption thereof. Section 2. Section 70 of said chapter 143 of the General Laws, as so appearing, is hereby amended, in paragraph (a), in line 37, by inserting at the end thereof the following paragraphs:-

In the case of a freight elevator installed prior to March 28, 1962 that satisfies the prerequisites of conformance with Chapter 288 of the Acts of 1962 and Chapter 324 of the Acts of 1980, and is determined after an on-site inspection not to pose an imminent threat to public safety, the appellant shall be granted a continuation of the use permitted, and shall not be required to conform with the regulations promulgated by the board pursuant to section 8 of Chapter 45 of the Acts of 2006. If, after an inspection, such freight elevator is found to have a problem or deficiency which, in the opinion of the board, does not pose an imminent threat to public safety but should be corrected, the appellant shall have the right to request an extension of the date by which said freight elevator must be brought into compliance, and the board shall immediately grant such request.

For the purposes of this section, an elevator shall be deemed to be in conformance with Chapter 288 of the Acts of 1962 and Chapter 324 of the Acts of 1980 if it meets the following criteria:

1. the elevator is a freight elevator;
2. the elevator was installed prior to March 28, 1962;
3. the elevator is in compliance with the law under which it was installed as amended;
4. the elevator was previously inspected annually by a state inspector;
5. the elevator is confined within the walls of the building;
6. the elevator is housed in premises where the public is excluded;
7. the elevator is operated only by employees of the owner or lessee;
8. the elevator is locked or protected by an alarm system;
9. the elevator has the stop switches as required in ELV 1-Revised (Pit & X-head);
10. the premises in which the freight elevator is located continues to be used for the same purpose; and
11. the elevator has car and landing doors or gates at least 5'6" high, an outside landing door or gate at least 6' high, and interlocks on the landing doors or gates and contacts on the car doors or gates.

Section 3. Notwithstanding any general or special law, rule or regulation to the contrary, all elevators in the commonwealth, whether classified as residential, public or freight, shall be inspected on an annual basis. Said inspection fee shall not exceed \$100."

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 8000-0010, by adding at the end thereof the following: "provided that not less than \$100,000 shall be expended to the Town of Whitman for the appropriation and development of land for a new police headquarters"; and in said item, by striking out the figures "\$21,351,035" and inserting in place thereof the figures "\$21,451,035".

The amendment was *rejected*.

Mr. Havern and Ms. Fargo moved that the bill be amended, in Section 2, in item 6010-0001, by adding at the end thereof the following :- "provided further, that said department shall construct sound barriers in the towns of Woburn and Burlington adjacent to Route 128 and Route 93; provided further that funds shall be expended for the construction of sound barriers in the town of Chelmsford as follows: designated Area Number 21, Waterford Place in Chelmsford, designated Area 1, Ledgewood/Lido Land in Bedford, as defined by HMMH Report Number 298280 as prepared for said document."

The amendment was *rejected*.

Mr. Havern moved that the bill be amended, in Section 2, in item 6010-0001, by adding at the end thereof the following :- "provided further, that the said department shall construct a bridge at the so called New Boston Street Bridge in Woburn".

The amendment was *rejected*.

Mr. Havern moved that the bill be amended by inserting at the end thereof the following sections:-

SECTION _____. Section 4 of chapter 161B of the General Laws, as so appearing, is hereby amended by striking, in line 6, the following words: "fourteen; and" and inserting in place thereof the following:- fourteen; provided, further, that no individual shall be appointed as an administrator unless said individual possess senior level management experience in 1 or more of the following areas: engineering, construction, business, public transit, public or private finance, or transportation.

SECTION _____. Section 8 of said Chapter 161B of the General Laws, as so appearing, is hereby amended by striking subsection (h) and inserting in place thereof the following new section:-

(h) All current expenses of the authority shall be in accordance with an annual budget prepared by the administrator and submitted to the advisory board, the secretary, the secretary of administration and finance, the chairs of the joint committee on transportation, and the chairs of the house and senate committees on ways and means no later than February first of each year for the ensuing fiscal year. On or before June first the advisory board shall approve said budget as submitted or subject it to such

itemized reductions therein as the advisory board shall deem appropriate. After the advisory board has approved said budget the secretary of transportation shall approve said budget as submitted. An administrator must receive approval from the secretary for any additional costs after the budget has been approved by the advisory board; provided, however, that any additional costs which the secretary may approve shall be assessed at 75 per cent upon the cities and towns constituting the authority and 25 per cent shall be assessed upon the Commonwealth.

SECTION _____. Chapter 161B of the General Laws, as so appearing, is hereby further amended by striking section 4 and inserting in place thereof the following section:-

Section 4. The affairs of an authority shall be managed by an administrator who shall be appointed by and serve at the pleasure of the advisory board of the authority established pursuant to section five; provided, however, that for the purpose of appointing an administrator the secretary of the executive office of transportation shall be entitled to 1 vote and, notwithstanding the provisions of section 5, each city and town shall have 1 vote in said appointment; provided, further, that the administrator shall not be appointed until the board has provided the notification required by clause (c) of section fourteen; provided, further, that no individual shall be appointed as an administrator unless said individual possess senior level management experience in 1 or more of the following areas: engineering, construction, business, public transit, public or private finance, or transportation; and provided, further, that the administrator shall not hold any elective office, except that of town meeting member, in any city or town within the jurisdiction of such authority. The administrator shall be the chief executive officer of the authority and shall receive such annual salary as shall be determined by said advisory board. Upon his appointment, the administrator shall give the state treasurer a bond for the faithful performance of his official duties in such penal sum and with such sureties as may be approved by the advisory board.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 6005-0015, by adding at the end thereof the following: “; provided that \$100,000 shall be expended for the Massachusetts Bay Transportation Authority to conduct a planning study of the feasibility of adding a new station in West Bridgewater on the Old Colony Middleborough/Lakeville commuter rail line. Said feasibility study scope include, but not limited to, evaluation of siting options, preparation of preliminary cost estimates, and screening analysis of impacts on transit ridership, mobility benefits, and community/environmental factors including traffic” and in said item, by striking out the figure “\$52,254,572” and inserting in place thereof the figure “\$52,354,572”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 6010-0001, by adding at the end thereof the following: “provided further, that no more than \$400,000 shall be expended for installation, maintenance and repair of a wave attenuator system at the Massachusetts Highway Department Reserve Channel bridge in the South Boston section of the city of Boston”; and in that item by striking the figures \$16,863,815 and inserting in place thereof the figures \$17,263,815.

The amendment was *rejected*.

Ms. Creem and Mr. Brown moved that the bill be amended, in Section 2, in item 6010-0001, in line 14, by inserting after the word “department;” the following:-

“provided further, that \$1,000,000 shall be expended for the renovation of the Rockland Street Bridge in the Town of Wellesley;”; and in said item by striking out the figure “\$16,863,815” and inserting in place thereof the figure “17,863,815”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 6010-0001, by adding at the end thereof the following: “provided further, that not more than \$1,000,000 shall be expended for station repairs and other improvements to Shawmut Station”; and in that item by striking the figures \$16,863,815 and inserting in place thereof the figures \$17,863,815.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 7000-9401 by striking the figures \$15,730,361.00 and inserting in place thereof the figures \$17,001,780.00

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended by adding at the end thereof the following new section:-

“SECTION 86. There shall be a special commission to study and report on the equity of fares between modes of transportation. The commission shall consist of 8 members, 1 of whom shall be appointed by the senate president, 1 of whom shall be appointed by the speaker of the house of representatives, the secretary of transportation or his designee, the general manager of the Massachusetts Bay Transportation Authority or his designee, 1 member to be appointed by the town of Hingham by vote of the board of selectmen, and 3 members to be appointed by the secretary of transportation, 1 of whom shall be a representative of the south shore business community and 2 of whom shall be representatives of the service area who regularly utilize the Rowses Wharf commuter boat. The commission shall review commuter boat service between the town of Hingham and Rowses Wharf in the city of Boston. The commission shall, in the course of its investigation and study, consider service improvements, fare structure, parking fees and ridership. The special commission shall submit its initial report to the Massachusetts Bay Transportation Authority with recommendations relative to the current fare structure, parking fees and service schedule, not later than 90 days after the effective date of this section. The special commission shall submit a second report to the Massachusetts Bay Transportation Authority with recommendations relative to the long-term recommendations for utilization of the commuter

boat between Hingham and Rowes Wharf, including the equity of zones and fares among varying commuting modes, parking fee and capacity issues, and ongoing service subsidies by December 31, 2007. The special commission shall dissolve upon completion of its duties and obligations, as indicated by submission of its findings and recommendations.”
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting after section 85 the following new section:-

“Section 86. There is hereby established a special commission to study and develop recommendations for the fiscal feasibility to reduce debt and debt financing relative to operations and maintenance of the Massachusetts turnpike. Said commission shall review all options for the long-term financing of operations and maintenance of the turnpike, including but not limited to the leasing or concessioning of the turnpike for a term not to exceed 50 years. Membership of said commission shall consist of the secretary for administration and finance or designee, who shall also serve as chair, the secretary of transportation or designee, the chairman of the Massachusetts turnpike authority, the comptroller or designee, the auditor or designee, the senate president or designee, the speaker of the house of representatives or designee, the house minority leader or designee, the senate minority leader or designee, the chairs of the house and senate committees on ways and means or designees, the and the chairs of the joint committee on transportation. The commission shall convene its first meeting by July 15, 2007, and file a report, with any legislative or regulatory recommendations, with the clerks of the senate and the house of representatives and the joint committee on transportation on or before November 15, 2007.”

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in Section 2, in item 6010-0001, by inserting, after the words “operational services;” the following: - “provided further, that not less than \$300,000 be allocated for the design and study the alternatives to making Summer Street in the town of Hingham and George Washington Boulevard in the town of Hull safer for pedestrians and bicyclists”; and in said item, by striking out the figures “\$16,863,815” and inserting in place thereof the figures “\$17,163,815.”
The amendment was *rejected*.

Mr. Knapik moved that the bill be amended, in Section 2, in item 6010-0001, by adding the following:- “provided that not less than \$75,000 be provided for the Adult and Family Literacy Center at the Multi-Modal Transportation Facility in Downtown Holyoke”; and in said item, by striking out the figures “\$16,863,815” and inserting in place thereof the figures “\$16,938,815”.
The amendment was *rejected*.

Mr. Brewer moved that the bill be amended, in Section 2, in item 5920-2000, by inserting at the end thereof the following: “provided that not less than \$25,000 shall be provided to ForgeWorks Farm in Rutland for the purposes of establishing a pilot program for alternative therapy, including hippotherapy and therapeutic horseback riding.”
The amendment was *rejected*.

Mr. Brewer moved that the bill be amended, in Section 2, in item 1410-0010, by inserting at the end thereof the following: “provided that not less than \$20,000 shall be expended to the Town of Orange for the reconstruction of the Veteran’s Honor Roll”; and in said item, by striking the figures “\$2,142,102” and inserting in place thereof the figures “\$2,162,102”.
The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 4512-0200, by adding at the end thereof the following:- “provided that not less than \$50,000 shall be expended for the Reducing the Achievement Gaps program operated by the United Way of Tri-County in collaboration with Jewish Family Service of Metrowest and the Framingham School Department”; and in said item by striking the figure “\$77,811,216” and inserting in place thereof the figure “\$77,861,216”.
The amendment was *rejected*.

Mr. Havern moved that the bill be amended, in Section 2, in item 9110-1455, by adding at the end thereof the following: “provided further that \$500,000 shall be made available for the operation of the Serving the Health Information Needs of Elders (SHINE) program. Said funds shall be used towards the cost of a full-time staff person at each of the local outreach sites of said program, and for other local supports costs” and in said item, by striking the figure” 63,791,054” and inserting in place thereof the following figures “\$64,291,054”.
The amendment was *rejected*.

Mr. Havern, Ms. Wilkerson, and Mr. Barrios moved that the bill be amended, in Section 2, in item 3000-4060, by adding at the end thereof the following: -” provided further that not less than an additional \$1,400,000 shall be expended for specialized contracted early education and care services for homeless children, including \$360,000 be expended for “The Salvation Army’s Our Place Center for Homeless Children”, and in said item by striking out the figures “\$164,444,998” and inserting the following figures in the place thereof:-“\$163,464,752”.
The amendment was *rejected*.

Ms. Tucker, Ms. Chandler, and Mr. Augustus moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the

end thereof the following: “; provided further that not less than \$400,000 shall be expended for the Connecting Families Programs in Lawrence and Worcester” and in said item, by striking out the figures “51,554,725” and inserting in place thereof the figures “51,954,725”.

The amendment was *rejected*.

Mr. Berry moved that the bill be amended “provided further, that notwithstanding any other provision of law or regulation, any non profit organization under contract with the Commonwealth as a Senior Care Options (“SCO”) contractor shall be entitled to retain, from any premium payments it receives from the Commonwealth or the Medicare Advantage Program, fifty percent of the amount of any savings due to the Commonwealth pursuant to the SCO contract with the Commonwealth”.

The amendment was *rejected*.

Messrs. Menard, Moore and Knapik, Ms. Chandler and Mr. Tarr moved that the bill be amended by inserting, after Section 85, the following new Section:-

“SECTION XX. Section 1 of Chapter 118G of the General Laws, as amended by chapter 58 of the acts of 2006, is hereby further amended by inserting in section 1, after the definition of “health maintenance organization” the following:— “Home health care provider,” any organization certified as a provider of services under the Medicare Health Insurance Program for the Aged (Title XVIII of the federal Social Security Act) that meets the Medicare and Medicaid Conditions of Participation for Home Health Agencies in Massachusetts.

SECTION ____ . Section 7 of said chapter 118G, as appearing in the 2004 Official Edition, is hereby amended by deleting clause (1) thereof and inserting in its place the following:—(1) shall determine, after public hearing, at least annually for institutional providers and for home health care providers, and at least biennially for all other non-institutional providers, the rates to be paid by each governmental unit to providers of health care services;

SECTION ____ . Said chapter 118G is hereby further amended by adding at the end thereof the following new section:—

Section 34. (a) Notwithstanding the provision of any general or special law to the contrary, including any other section of chapter 118G or chapter 118E of the General Laws, the division shall adjust rates of payment for home health care providers on an annual basis. Such rates shall be established as of January first of each year.

The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the end thereof the following: “provided further that not less than \$250,000 shall be expended for the operation of a juvenile firesetters program to be operated by the Massachusetts Coalition for Juvenile Firesetters Intervention Programs”; and in said item, by striking out the figures “\$51,554,725” and inserting in place thereof the figures “51,804,725”.

The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in Section 2, in item 9110-1660, by adding at the end thereof the following: “provided further, that \$150,000 shall be used to fully fund a supportive senior housing program at Edward F Doolan Apartments in the city of Fall River”; and in said item by striking out figures “\$1,956,873” and inserting in place thereof the figures “\$2,106,873”.

The amendment was *rejected*.

Messrs. Hart and Moore moved that the bill be amended, in Section 2, in item 4000-0500, by adding at the end thereof, the following: “and provided further that the secretary shall make a \$5,500,000 disproportionate share payment to a financially distressed hospital located in Suffolk County with a locked adolescent psychiatric unit that participates in the Mass Health Program;” and in said item, by striking out the figures \$2,953,356,169 and inserting in place thereof the figures \$2,958,856,169.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 4513-1300, by adding at the end thereof the following: “provided that \$50,000 be expended for Close to Home, a domestic violence prevention program located in Dorchester” and in said item by striking out the figures \$3,774,677 and inserting in place thereof the figures “\$3,824,677”.

The amendment was *rejected*.

Messrs. Hart, O’Leary, Montigny, Augustus and Moore, and Ms. Tucker moved that the bill be amended, in Section 2, by inserting after item 4510-0110 the following item:

“4510-0150 . . . For the managed care program at community health centers known as Center Care; provided, that no funds shall be expended in the AA object class for any personnel-related costs; and provided further, that the department shall assist professional and non-profit agencies dedicated to the elimination of health disparities and advancement of the scope and nature of health care services delivered in communities by community health centers and to pursue available federal technical assistance funding.....\$2,654,749”.

The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the end thereof the following: “; and provided further, that not less than \$200,000 shall be expended for the Families United for Teens’ Health”; and in said item, by

striking out the figure “\$51,554,725” and inserting in place thereof the figure “\$51,754,725”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 1410-0250 by adding at the end thereof the following:-
“provided further, that not less than \$190,000 shall be expended for a contract with Habitat P.L.U.S. in the city of Lynn.”; and in said item, by striking out the figures “\$2,621,930” and inserting in place thereof the figures “2,811,930”.
The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 4513-1000, by inserting after the words “Revere, and East Boston:” the following “provided further, that not less than \$150,000 of said funds shall be expended for such programs in the Bowdoin/Geneva and the Uphams Corner/North Dorchester sections of Boston;” and in said item by striking out the figures \$77,811,216 and inserting in place thereof the figures \$77,961,216
The amendment was *rejected*.

Mr. McGee and Ms. Tucker moved that the bill be amended, in Section 2, in item 4403-2120 by striking out the following words: “provided further, that funds shall be expended for homelessness prevention services and screenings conducted at community health centers” and inserting in place thereof the following words “provided further, \$500,000 be expended for homelessness prevention services and screenings conducted at community health centers”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 5046-2000 by adding at the end thereof the following:
“provided, that not less than \$90,000 shall be expended for the provision of health services to the homeless and uninsured by Primary Care and Mental Health, Inc. located in the city of Lynn.”; and in said item, by striking out the figures “\$22,384,719” and inserting in place thereof the figures “\$22,474,719”.
The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 4510-0600, by adding at the end thereof the following: “provided further, that not less than \$81,000 shall be expended for the maintenance of a statewide lupus database”; and in that item by striking out the figures \$3,576,868 and inserting in place thereof \$3,657,868.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 4512-0200, by adding at the end thereof the following:
“provided further, that no less than \$85,000 shall be provided to Project COPE, Inc. in Lynn for the prevention and education of the problems associated with OxyContin and Heroine use”; and in said item, by striking out the figures “\$77,811,216” and inserting in place thereof the figures “77,896,216”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 4510- 0110 by inserting at the end thereof the following : -
provided further that \$100,000 shall be expended for the prevention of substance abuse in the town of Saugus; and in said item, by striking the figure “\$77,811,216” and inserting in place thereof the following : “\$77,911,216”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in Section 2, in item 4110-3010 by adding at the end thereof the following:
“provided that \$154,000 shall be expended for the Vocational Development of blind young adults entering the work force”; and in said item, by striking out the figures “\$2,876,179” and inserting in place thereof the figures “\$3,030,179”.
The amendment was *rejected*.

Mr. McGee moved that the bill be amended in Section 64 by inserting in the first paragraph after the fourth sentence the following: “In developing the said schedule the secretary shall include the following item a \$500,000 one-time grant shall be awarded to a community health center located in the City of Lynn providing health care to medically underserved and uninsured patients and which provides a 340B pharmacy program.”
The amendment was *rejected*.

Mr. Joyce, Ms. Tucker, Ms. Spilka, Messrs. Hedlund and Creedon, Ms. Jehlen, Mr. McGee, Ms. Fargo, and Messrs. Barrios, Timilty and Brown moved that the bill be amended, in Section 2, in item 5920-2025, by striking out the figure “\$122,567,711” and inserting in place thereof the following figure:- “\$123,177,711”.
The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 4590-0250, at the end thereof, by inserting the following:
“provided further, that the department of public health shall develop and implement innovative school health delivery models to equitably serve non-public school students, including but not limited to partnerships with schools of nursing and community-based health care agencies; and provided further, that the department shall collect data and issue an annual report on the services

that are utilized by public and non-public school students and students using school based health centers; and provided further that the department shall submit said report to the house and senate committees on ways and means, the house and senate chairs of the joint committee on health care financing, and the house and senate chairs of the joint committee on public health by December 31 of each year.”

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 4510-0721, by striking out the figures “\$1,651,178” and inserting in place thereof the figures “\$1,740,033.”

The amendment was *rejected*.

Messrs. Brewer, Augustus, and Moore and Ms. Chandler moved that the bill be amended, in Section 2, in item 1410-0250, in line 3, by striking out the figures “625,105” and inserting in place thereof the figures “982,000”

The amendment was *rejected*.

Ms. Spilka, Ms. Creem, Ms. Jehlen and Messrs. McGee, Augustus, Tarr and Timilty, Ms. Tucker and Ms. Walsh moved that the bill be amended, in Section 2, in item 4403-2120, by adding after the words: “provided further, that the department shall not impose unreasonable requirements for third-party verification and shall accept verifications from the family whenever reasonable”, the following new words: “provided further, that the department shall not impose requirements on families in shelter through self-sufficiency plans, so-called, or otherwise, including savings requirements, that are not reasonable in light of the families’ individual circumstances and shall not find that a family is in noncompliance with any requirement if the family had a good reason for not satisfying the requirement; provided further, that the department shall amend its regulations within 30 days to reflect the requirements of the preceding proviso; provided further, with respect to families in shelter who receive transitional aid to families with dependent children benefits and whose cash assistance grants the department reduces because they are living in shelter, the department shall not reduce the cash assistance grants by more than \$148.50 per month, shall deposit an amount equal to any such reduction in an account for the family to use to cover costs reasonably related to seeking and obtaining permanent housing, and shall not impose any additional savings requirement on such families;”.

The amendment was *rejected*.

Messrs. Barrios and Augustus, and Ms. Creem and Ms. Spilka moved that the bill be amended, in Section 2, in item 5920-2000, by adding at the end thereof the following: - “provided, that not less than \$100,000 be expended for Partners For Youth with Disabilities to provide a mentor match program for youth with disabilities for an after school program.”; and in said item, by striking out the figure “\$547,157,631” and inserting in place thereof the figure:- \$547,257,631.

The amendment was *rejected*.

Mr. Montigny moved that the bill be amended, in Section 2, in item 4000-0640 by striking out the words “provided, that not more than \$9,000,000 of this amount shall be expended for purposes of reimbursing nursing facilities for up to 10 bed hold days” and inserting in place thereof the following words:- “provided, that not less than \$9,000,000 of this amount shall be expended for purposes of reimbursing nursing facilities for up to 20 bed hold days”

The amendment was *rejected*.

Mr. Barrios moved that the bill be amended, in Section 2, in item 4513-1000, by striking out the figure \$300,000” and inserting in its place thereof the following figure:-“\$350,000” shall be expended for ROCA, Inc. for outreach and youth development for at-risk youth and young adults in Chelsea, Revere, and East Boston; and further move to amend the item by striking “\$6,396,716” and insert in place thereof the following figure:- \$6,446,716.

The amendment was *rejected*.

Mr. Augustus and Ms. Chandler moved that the bill be amended, in Section 2, in item 4800-1400, by adding at the end thereof the following:- “provided further, that not less than \$25,000 be expended for Abby’s House in Worcester”; and in said item, by striking out the figures “\$22,072,767” and inserting in place thereof the figures “\$22,097,767”.

The amendment was *rejected*.

Mr. Augustus moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the end thereof the following:- “provided that not less than \$25,000 shall be expended for foster care and counseling services for families and individuals at the Auburn Youth and Family Services”; and in said item, by striking out the figures “\$51,554,725” and inserting in place thereof the figures “\$51,579,725”.

The amendment was *rejected*.

Mr. Augustus and Ms. Chandler moved that the bill be amended, in Section 2, in item 4510-0600, by adding at the end thereof the following:- “provided further that not less than \$25,000 shall be expended for the City of Worcester’s Department of Public Health to disseminate environmental and community health messages”; and in said item, by striking out the figures “\$3,576,868” and inserting in place thereof the figures “\$3,601,868”.

The amendment was *rejected*.

Ms. Candaras moved that the bill be amended, in Section 2, in item 5046-0000, by inserting after the word “research,” the words “; provided further, that not less than \$100,000 shall be expended for culturally and linguistically appropriate mental health services for immigrants at the International Institute of Lowell.”; and in said item, by striking out the figures “ \$315, 563,247” and inserting in place thereof the figures “\$315,663,247”/

The amendment was rejected.

Messrs. Augustus and Downing, Ms. Candaras, Ms. Chandler, and Messrs. Timilty, Barrios and Montigny moved that the bill be amended, in Section 2, in item 2511-0105, by striking out the figure “\$10,500,000” and inserting in place thereof the following figure:- “\$12,000,000”.

The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 5047-0001, by inserting at the end thereof the following:- “; provided further, that not less than \$321,850 shall be expended for emergency health services on Martha’s Vineyard; provided further that not less than \$86,000 shall be expended for emergency mental health services on Nantucket”; and in said item, by striking out the figures “\$30,871,691” and inserting in place thereof the figures “\$31,279,541”.

The amendment was *rejected*.

Ms. Fargo and Ms. Resor moved that the bill be amended, in Section 2, in item 4510-0790, by adding at the end thereof the following: “provided further that not less than \$300,000 shall be made available to Emerson Hospital for the purpose of providing emergency medical services to thirteen area towns”; and in said item, by striking out the figure “\$1,246,896” and inserting in place thereof the figure “1,546,896”.

The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 4403-2120, by inserting at the end thereof the following “; and provided that not less than \$50,000 shall be for Community Action Committee of Cape Cod and the Islands, Inc. for homelessness and substance abuse prevention on Cape Cod”; and in said item, by striking out the figures “\$82,467,153” and inserting in place thereof the figures “\$82,517,153”.

The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended in Section 64, by inserting in the first paragraph after the fourth sentence the following:- “In developing the said schedule the secretary shall include the following item a \$1,250,000 one-time grant from said fund to a sole community hospital under the Medicare program located in Barnstable county”.

The amendment was *rejected*.

Ms. Fargo, Ms. Wilkerson and Ms. Candaras moved that the bill be amended, in Section 2, in item 4512-0200, by inserting after the words “Winchester Substance Abuse Coalition in the town of Winchester;” the following: “provided further, that not less than \$100,000 shall be made available to Self-Esteem Boston for an evidence-based evaluation of the Skills for Success program to be conducted by the Institute on Urban Health Research at Northeastern University”; and in said item, by striking out the figure “77,811,216” and inserting in place thereof the figure “77,911,216”.

The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 4510-0600, by inserting at the end thereof the following:- “; provided further, that not less than \$100,000 shall be expended for the purposes of research and prevention activities associated with Lyme Disease, so-called, to be conducted in conjunction with the Barnstable County Department of Health and the Environment”; and in said item, by striking out the figures “\$3,576,868” and inserting in place thereof the figures “\$3,676,868”.

The amendment was *rejected*.

Mr. O’Leary moved that the bill be amended, in Section 2, in item 4512-0200, at the end thereof the following:- “provided further, that not less than \$250,000 be expended for Mid-Upper Cape Community Health Center to expand its substance abuse program”; and in said item, by striking out the figures “\$77,811,216” and inserting in place thereof the figures “78,061,216”.

The amendment was *rejected*.

Ms. Fargo, Ms. Tucker and Messrs. Baddour, Moore, Joyce and Hedlund moved that the bill be amended, in Section 2, by inserting after item 4513-1111 the following new item:

“4513-1120 For the implementation of a public health pilot program, to include grants to hospitals and other health facilities, for computed tomography type scanning to screen for the early detection of lung cancer disease, and for pre-diagnosis and post-diagnosis research related to the screening and detection of lung cancer disease; provided that only department licensed hospitals and other health facilities that are approved by the commissioner to participate in the program, and that contract to participate in the program in compliance with department established guidelines, shall receive grants from these appropriated funds: and provided further, that the program shall be based on International Early Lung Cancer Program (I-ELCAP) practices and other practices that may be established by the commissioner; and provided further that at least 25% of all individuals screened under the program shall be from racial and ethnic minority populations; and provided further, that at least 50% of all individuals screened under the program shall have a family income that does not exceed 150% of federal poverty guidelines; and provided

further, that no cost for program screening or diagnostic services shall be assessed to an individual that has a family income that does not exceed 150% of the federal poverty guidelines.....\$3,800,000
The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 7003-0702, by inserting at the end thereof the following:-
"provided further that not less than \$250,000 shall be expended for Mid-Upper Cape Community Health Center for the purposes of developing and implementing an information technology skill upgrading program for its employees"; and in said item, by striking out the figures "\$7,723,000" and inserting in place thereof the figures "\$7,973,000".
The amendment was *rejected*.

Ms. Fargo moved that the bill be amended, in Section 25, by striking out paragraph (v) of subsection (b) of section 35, and inserting in place thereof the following:
"(v) to conduct a utilization management review program designed to monitor the appropriateness of healthcare services, including medical necessity, timeliness and quality of care, for those payments made by the fund and to promote the delivery of care in the most appropriate setting and to identify alternative coverage eligibility. The utilization management review program should be performed by a person with qualified staff and demonstrated experience in utilization review and quality of care assessment/assurance; and to administer demonstration programs that reduce Health Safety Net Trust Fund liability to acute hospitals, including a demonstration program to enable disease management for patients with chronic diseases, substance abuse and psychiatric disorders through enrollment of patients in community health centers and community mental health centers and through coordination between these centers and acute hospitals, provided, that the office shall report the results of these reviews annually to the joint committee on health care financing and the house and senate committees on ways and means;"
The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended in Section 64, by inserting in the first paragraph after the fourth sentence the following:- "In developing the said schedule the secretary shall include the following item a \$200,000 one-time essential community provider trust fund grant shall be awarded to a community health center serving the towns on the outer and lower Cape in Barnstable county."
The amendment was *rejected*.

Mr. O'Leary moved that the bill be amended, in Section 2, in item 4512-0200 by inserting at the end thereof the following:- " ; provided further, that \$150,000 shall be expended to Vineyard House for Addiction Treatment on Martha's Vineyard"; and in said item, by striking out the figures "77,811,216" and inserting in place thereof the figures "77,961,216".
The amendment was *rejected*.

Ms. Resor, Ms. Jehlen, Ms. Fargo and Mr. Timilty moved that the bill be amended, in Section 2, in item 4510-0600, by striking out the figure "\$3,576,868" and inserting in place thereof "\$4,176,868".
The amendment was *rejected*.

Mr. Antonioni, Ms. Spilka, and Ms. Tucker moved that the bill be amended, in Section 2B, in item 5948-0012, by striking out the figure "8,000,000" and inserting in place thereof the following figure:- "\$10,000,000".
The amendment was *rejected*.

Mr. Berry moved that the bill be amended, in Section 2, in item 4000-0112, by adding the following: provided further, that not less than \$250,000 shall be expended for Children's Friend and Family Services of Salem; and by striking out the figure "\$4,695,000" and inserting in place thereof the figure "\$4,945,000".
The amendment was *rejected*.

Ms. Spilka, Ms. Tucker and Mr. Havern moved that the bill be amended, in Section 2, by inserting after item 4000-0500 the following item:-
"4000-0501 For contracted support services for adults with Autism Spectrum Disorders without accompanying mental retardation, including Asperger's Syndrome, through EOHHs; provided, that not less than \$100,000 shall be expended for the purposes of a contract with the Asperger's Association of New England to convene a state task force to study services for this population, identify the needs and report their recommendations for services to the legislature by June 15, 2008.....\$100,000".
The amendment was *rejected*.

Mr. Moore and Ms. Candaras moved that the bill be amended, in Section 2, in item 4000-0300, by adding at the end thereof the following:- "provided further, that in determining the inpatient and outpatient acute and non-acute hospital rates of payment, the executive office and its contractors shall utilize a payment methodology so that rates of payment are not less than those in effect during fiscal year 2007."
The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 4110-1000, by striking out the figure "\$4,367,118" and inserting

in place thereof the following figure:- "\$4,450,451".
The amendment was *rejected*.

Messrs. Moore and Augustus and Ms. Candaras moved that the bill be amended, in Section 2, in item 4000-0300, by adding at the end thereof the following:- "provided further, that said Executive Office shall not reduce the current 60 day administrative timeframe under which Medicaid beneficiaries apply to renew their Medicaid eligibility;"
The amendment was *rejected*.

Ms. Resor, Ms. Jehlen, Ms. Spilka, Ms. Walsh, Ms. Creem, Messrs. Augustus, O'Leary, Downing, Montigny and Barrios moved that the bill be amended, in Section 2, in item 4003-0122, by striking out the figure "\$500,000" and inserting in place thereof the following figure:- "\$2,000,000".
The amendment was *rejected*.

Ms. Tucker and Messrs. Barrios and Brewer, Ms. Candaras, Ms. Spilka, Messrs. Montigny and Timilty and Ms. Jehlen moved that the bill be amended, in Section 2, in item 4800-1400, by striking out the figure "\$22,072,767" and inserting in place thereof the following figure:- "22,734,950".
The amendment was *rejected*.

Mr. Moore and Ms. Candaras moved that the bill be amended, in Section 2, in item 4000-0730, by inserting after item 4000-0700 the following item:
"4000-0730 For a workforce development and loan repayment program to support the recruitment and retention of licensed practitioners of optometry, psychology and pharmacy at community health centers to be administered by the Massachusetts League of Community Health Centers; provided that \$225,000 shall be expended to assist with loan forgiveness or repayment for such practitioners, with the adoption of written guidelines for eligibility for up to \$15,000 per year for a maximum of 4 years in loan repayment in exchange for at least two years equivalence of full-time practice at one or more Massachusetts community health centers, which shall be completed within 4 years; provided, further, that in the case of those employed as psychologists, the secretary shall limit the program to those focused on addressing known health disparities with necessary language skills and demonstrated cultural competence...\$225,000".
The amendment was *rejected*.

Messrs. Moore and Augustus and Ms. Candaras moved that the bill be amended, in Section 2, in item 4000-1405, by adding at the end thereof the following:- "and provided, further, that the executive office of health and human services shall make provisions to allow those persons enrolled in the MassHealth Essential program and meeting the eligibility requirements established under the MassHealth program to be eligible to enroll in Medicaid managed care organizations and to allow the Medicaid managed care organizations the option of enrolling program members in accordance with the enrollment and assignment processes for other eligible categories and at the appropriate levels of premium."
The amendment was *rejected*.

Mr. Downing moved that the bill be amended, in Section 2, in item 4800-0038, by adding the following: "and provided further, that not less than \$150,000 shall be expended in region 1 for a community-based family unification counseling program to prevent juvenile delinquency"; and in said item, by striking out the figures "51,554,725" and inserting in place thereof the figures "\$51,704,725".
The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 4510-0725, by adding at the end thereof the following:- "provided further, \$139,000 shall be expended for the implementation and operations of the Board of Registration of Genetic Counselors established in Chapter 170 of the Acts of 2006;" and in said item, by striking out the figure "\$446,226" and inserting in place thereof the following figure:- "\$585,226."
The amendment was *rejected*.

Messrs. Moore and Baddour moved that the bill be amended in Section 25 in subsection 39, line 427, by striking "and (e)" and inserting "(e) the situation of any free-standing pediatric hospital with a disproportionately low volume of Title XVIII payments; and (f)".
The amendment was *rejected*.

Mr. Moore, Ms. Candaras and Mr. Brown moved that the bill be amended in Section 40 by adding the following words:- "provided further, that rate increases paid in 2008 to hospitals shall be above the levels that would be produced by the application of the Medicaid methodology for determining rates for both inpatient and outpatient acute hospital services in effect for fiscal year 2007, as of May 1, 2007, adjusted for inflation and case mix changes."
The amendment was *rejected*.

Mr. Moore and Ms. Candaras moved that the bill be amended in Section 66 by adding the following language:- "provided further,

the secretary of administration and finance, after consulting with the executive office of health and human services, the Commonwealth Health Insurance Connector Authority, and house and senate committees on ways and means, shall make a quarterly determination of whether any deficiency exists or is likely to exist in the Health Safety Net Trust Fund and shall transfer an amount from the Commonwealth Care Trust Fund or request additional supplemental funding to fund any anticipated deficit in the Health Safety Net Fund.”

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 4000-0300 by adding at the end thereof the following: “provided further that a \$5,600,000 one-time essential community provider trust fund grant to Brockton Hospital which is a disproportionate share acute care hospital located in the southeastern Massachusetts division of the medical assistance psychiatric service area that operates an inpatient psychiatric unit”; and in said item, by striking out the figures “\$142,657,808” and inserting in place thereof the figures “\$148,257,808”.

The amendment was *rejected*.

Mr. Creedon and Ms. Candaras moved that the bill be amended in Section 64, by striking out the figure “\$28,000,000” and inserting in place thereof the figure “38,000,000”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended by inserting, after Section ____, the following Section: -

“SECTION ____. Notwithstanding any general or special law or any regulation to the contrary, the Commonwealth shall restore reimbursement through the division of health care finance and policy and the executive office of health and human services, MassHealth office, to freestanding radiation treatment facilities that are at least fifty percent interest owned by a hospital, to cover the cost of diagnostic procedures and radiation treatment therapy and related services, including positron emission tomography (PET) services, either alone, or with concurrently acquired computed tomography (CT) provided by such facilities to MassHealth members;”.

The amendment was *rejected*.

Messrs. Timilty, Havern, Augustus, McGee and Brown, Ms. Spilka, Ms. Tucker, Ms. Fargo and Messrs. Hedlund, Barrios and Montigny moved that the bill be amended, in Section 2, in item 5920-3000, by striking out the figure “\$54,794,228” and inserting in place thereof the following figure:- “\$55,421,374”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the end thereof the following:- “provided further, that \$50,000 shall be expended for youth services at the youth center in Uxbridge;” and in said item, by striking out the figure “\$51,554,725” and inserting in place thereof the following figure:- “\$51,604,725 ”.

The amendment was *rejected*.

Messrs. Timilty, Brewer and Brown moved that the bill be amended, in Section 2, in item 1107-2501, by striking out the figures “\$1,988,247” and inserting in place thereof the following figures: “\$3,025,493”.

The amendment was *rejected*.

Messrs. Timilty and Brown and Ms. Spilka moved that the bill be amended, in Section 2, in item 5930-1000, by striking out the figures “\$176,397,994” and inserting in place thereof the following figures: “\$179,397,994”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 4120-3000, by adding at the end thereof the following: “provided that \$25,000 will be used to assist the Living Independently for Equality, Inc. of Brockton”; and in said item, by striking out the figure \$11,401,483” and inserting in place thereof the figure “11,426,483”.

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended in Section 25 in line 334 after the words “circumstances of unusual hospitals” by inserting the following language, “provided that, for the disproportionate share hospitals as defined in section 1 of chapter 118G, rates of payment shall be no less than the greater of the aforementioned rates of payment or those established pursuant to section 26 of chapter 45 of the acts of 2005.”

The amendment was *rejected*.

Mr. Creedon moved that the bill be amended, in Section 2, in item 4510-0810, by adding at the end thereof the following: “provided that \$150,000 be expended for the Plymouth County Children’s Advocacy Center”; and in said item, by striking out the figures “\$3,610,111” and inserting in place thereof the figures “\$3,760,111”.

The amendment was *rejected*.

Mr. Timilty, Ms. Menard and Ms. Candaras moved that the bill be amended by inserting, after Section ____, the following new

Section: -

“SECTION _____. Notwithstanding any general or special law to the contrary, the Group Insurance Commission shall not implement or contract with a carrier as defined in section 2 of Chapter 1760 for the implementation of a physician performance evaluation program for the purpose of measuring the quality and cost efficiency of a physician’s delivery of care at the individual physician level for public reporting or tiering purposes for three years from the time of enactment. A physician or patient shall not be economically disadvantaged through the use of higher co payments associated with tiering because a physician at the individual level cannot be tiered pursuant to this section.”

The amendment was *rejected*.

Messrs. Creedon, Montigny and Tarr moved that the bill be amended in Section 64, by striking the first three sentences, and in said Section, by adding the following: - “Notwithstanding any general or special law to the contrary, the comptroller, in consultation with the secretary of health and human services, shall develop a schedule for transferring not less than \$28,000,000 from the General Fund to the Essential Community Provider Trust Fund established pursuant to section 2PPP of chapter 29 of the General Laws for the purpose of making payments to hospitals, community health centers and visiting nurse associations in fiscal year 2008. The secretary shall authorize expenditures from the fund without further appropriation for the purpose of a grant program to improve and enhance the ability of hospitals, community health centers and visiting nurse associations to serve populations in need, more efficiently and effectively, including, but not limited to, the ability to provide community-based care, clinical support, care coordination services, disease management services, primary care services and pharmacy management services through a grant program. The office shall consider applications from acute hospitals, non-acute hospitals, community health centers and visiting nurse associations in awarding the grants; provided, however, that the office shall publicize the existence of the grant program to eligible providers and shall award grants not later than September 1, 2007.”

The amendment was *rejected*.

Mr. Joyce and Ms. Candaras moved that the bill be amended, in Section 2, in item 4800-0038, by striking the following words: “provided further that not less than \$348,850 shall be expended for Latina’s y Nino’s and Casa Esperanza” and inserting in place thereof the following:- “provided further that not less than \$498,840 shall be expended for Casa Esperanza”; and in said item, by striking the figure “\$51,554,725” and inserting in place thereof a figure “\$51,704,715.”

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in Section 2, in item 5920-3000, by inserting, after the words “such services” the following: - “provided further that not more than \$50,000 be expended for the Friendship Home project in the town of Norwell.”; and in said item, by striking out the figures “\$54,794,228” and inserting in place thereof the figures “\$54,844,228.”

The amendment was *rejected*.

Ms. Wilkerson, Mr. Barrios and Ms. Jehlen moved that the bill be amended, in Section 2, in item 4512-0200, in line 8 by inserting after, “Sobriety High Schools;” the following, “provided further that not less than \$250,000 shall be expended for the restoration of 24-hour services at the Albany St. Shelter operated by Cambridge and Somerville program for Drug and Alcohol Rehabilitation;”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended in Section 64 by adding the following words:- “provided further, that the secretary shall provide \$1,500,000 in a one-time grant from the fund to a non-profit, disproportionate share community acute care hospital with less than 115 beds that operates an inpatient psychiatric unit licensed by the department of mental health located in southern Worcester County affiliated with the University of Massachusetts Memorial Health Care System.”

The amendment was *rejected*.

Ms. Spilka, Ms. Creem, Ms. Chandler, Ms. Tucker and Messrs. Augustus and Timilty moved that the bill be amended, in Section 2, in item 4120-4000, by striking out the figure “\$11,401,483” and inserting in place thereof the following figure:- “\$11,901,483”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 5920-2000, by adding at the end thereof the following: “provided further, that an additional \$304,000 shall be expended on a contract with Work, Inc.”, and in that item by striking out the figures \$547,157,631 and inserting in place thereof the figures \$547,361,631.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in Section 2, in item 4512-0200, by adding at the end thereof the following: “provided further, that not less than \$158,000 shall be expended for the Haitian Multi-Service Center in the Dorchester section of the city of Boston;” and in that item by striking the figures \$77,811,216 and inserting in place thereof the figures \$77,969,216.

The amendment was *rejected*.

Ms. Creem, Mr. Tarr, Ms. Tucker and Mr. Timilty moved that the bill be amended, in Section 2, in item 4800-0038, in line 11,

after the words, "Parent Support Program;" by inserting the following, "provided further that no more than \$250,000 shall be expended for Massachusetts Citizens for Children, Inc, lead agency for the Massachusetts Child Sexual Abuse Prevention Partnership, to support the Enough Abuse Campaign's work to prevent child sexual abuse"; and is further amended at the end by striking the figure, "51,554,725" and inserting in place thereof the following figure, "51,804,725".

The amendment was *rejected*.

Messrs. Augustus, Brewer and Timilty, Ms. Creem, Ms. Tucker, Ms. Spilka, Ms. Jehlen, Ms. Chandler, Ms. Candaras and Mr. Barrios moved that the bill be amended, in Section 2, in item 4513-1130, by inserting at the end thereof the following: "provided further that not less than \$2,829,854 be expended for rape crisis services and Llamanos y Hablemos;" and in said item, by striking out the figure "\$3,774,677" and inserting in place thereof the figure "\$3,857,100."

The amendment was *rejected*.

Ms. Spilka and Mr. Timilty, Ms. Tucker, Ms. Candaras and Mr. Augustus moved that the bill be amended, in Section 2, in item 4800-1100, by striking out the figure "\$147,289,334" and inserting in place thereof the following figure:- "\$153,035,000".

The amendment was *rejected*.

Ms. Spilka, Ms. Tucker, Messrs. Creedon and Montigny, Ms. Candaras and Mr. Timilty moved that the bill be amended, in Section 2, in item 5920-1000, by striking out the figure "\$57,047,365" and inserting in place thereof the following figure:- "\$61,047,365".

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 4400-1000, by inserting after the words "information system;" the following:- "provided further, that not less than \$25,000 shall be expended for education, advocacy, and case management services by Casa Latina, located in the city of Northampton;"

The amendment was *rejected*.

Messrs. Brown and Tarr moved that the bill be amended by inserting, after Section ____, the following new Section:-
"SECTION _____. Notwithstanding any law to the contrary, a commission shall be established to study how to address the need for housing for mentally disabled adults in every city or town in the Commonwealth. Said commission, which shall be called "the Commission on Housing for the Mentally Disabled", from here on known as "the Commission", shall consist of the Commissioner of the Department of Mental Retardation, or his designee, the Commissioner of the Department of Mental Health or his designee, the Executive Director of the Community Economic Development Assistance Corporation, or his designee, three members of the House of Representatives to be chosen by the Speaker, one of which shall be a member of the minority party, three members of the Senate, to be chosen by the Senate President, one of which shall be a member of the minority party, two members appointed by the Governor, one of which shall be a legal guardian for a resident of said housing and one of which shall be a human service provider. The Commission will be directed to establish fair and suitable guidelines for the state subsidized development costs for housing for mentally disabled adults, as well as establish an index for the cost of housing in each city and town in which such property resides. The Commission will report its findings to the Legislature no later than December 31, 2008."

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 4800-0015, by striking out the figure "\$78,030,738" and inserting in place thereof the following figure:- "\$78,930,738".

The amendment was *rejected*.

Messrs. Rosenberg and Downing moved that the bill be amended, in Section 2, in item 4800-0038, by adding at the end thereof the following:- "provided that \$52,358 shall be expended for the costs of operating the Hampshire/Franklin juvenile fire setters intervention program."

The amendment was *rejected*.

Ms. Walsh moved that the bill be amended, in Section 2, in item 9110-1660, by inserting after the word "Framingham" the words "; and \$120,000 shall be expended for the AgeWell West Roxbury program operated by Ethos," and by striking out the figure "\$1,956,873" and inserting in place thereof the figure "2,076,873".

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended, in Section 2, in item 5911-1000, by striking out the figure "\$14,515,531" and inserting in place thereof the following:- "\$15,947,401".

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 5911-1000, by inserting after the words "purposes described above;" the following:- "provided further, that not less than \$30,000 shall be allocated to Whole Children, Inc. of Hadley;"

The amendment was *rejected*.

Mr. Rosenberg moved that the bill be amended, in Section 2, in item 4513-1000, by adding at the end thereof the following:-
“provided further, that \$25,000 shall be expended for regional respite, counseling and holistic therapy services offered by the Cancer Connection, located in the City of Northampton.”

The amendment was *rejected*.

Ms. Spilka, Ms. Tucker, Ms. Jehlen, Ms. Fargo and Mr. Timilty moved that the bill be amended, in Section 2, in item 4000-0300, by adding at the end thereof the following words:- “; provided further, that \$300,000 be expended for the purpose of funding New England INDEX”; and in said item, by striking out the figure “\$142,657,808” and inserting in place thereof the figure:-
“\$142,957,808”.

The amendment was *rejected*.

Messrs. Brewer, Augustus, Moore, Joyce, Hedlund, Knapik, Montigny and Timilty, Ms. Chandler, Ms. Fargo, Ms. Jehlen, Ms. Wilkerson, Ms. Spilka and Ms. Candaras moved that the bill be amended, in Section 2, in item 9110-1900, by striking out the figures “\$5,935,303” and inserting in place thereof the figures “7,618,808”.

The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus, O’Leary, Moore, Timilty and Montigny moved that the bill be amended, in Section 2, in item 4510-0109 by adding at the end thereof the following: “provided further, that not less than \$250,000 shall be expended for loan repayment programs solely for dentists and dental hygienists in exchange for two years of service practicing in a Massachusetts community health center or publicly licensed Massachusetts clinic”; and in said item, by striking out the figures “250,000” and inserting in place thereof the figure “500,000”.

The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended, in Section 2, in item 9110-9002, by adding at the end thereof the following:-
“provided further that \$250,000 shall be expended for design/development of a council on aging facility in the town of Abington”; and in said item, by striking out the figures “\$7,825,000” and inserting in place thereof the figures “\$8,075,000”.

The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus, O’Leary, Timilty and Montigny moved that the bill be amended, in Section 2, by inserting after item 4000-0300 the following new item:

“4000-0301 For a reserve to create a demonstration project to provide increased reimbursement rates for participating MassHealth dental providers in Worcester who maintain an open patient panel and who, if they are a new provider, agree to accept a minimum of 25 new patients into their practice.....2,000,000”.

The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus and Antonioni, Ms. Tucker, Mr. O’Leary, Ms. Candaras, Ms. Spilka, Mr. Timilty and Ms. Walsh and Mr. Montigny moved that the bill be amended, in Section 2, in item 4512-0500 by striking out the figure “\$1,868,150” and inserting in place thereof the figure, “\$2,593,150”.

The amendment was *rejected*.

Ms. Chandler, Messrs. Augustus, Antonioni and O’Leary, Ms. Tucker, Ms. Candaras, Ms. Spilka, Mr. Timilty and Ms. Walsh, and Mr. Tarr moved that the bill be amended by inserting after Section _____, the following new section: -

“SECTION _____. Chapter 6A of the General Laws is hereby amended by inserting after section 16C the following 2 sections:-
Section 16D (a) In order to improve, promote and protect the oral health of all residents of the Commonwealth, a full-time dental director shall be located in the executive office of health and human services and shall work collaboratively with the department of public health to facilitate integration of programs to improve oral health. The director shall be funded through an interagency agreement between the executive office of health and human services and the department of public health.

(b) The full-time dental director shall be a Massachusetts licensed dentist with public health experience and shall oversee the MassHealth dental program and work in collaboration with the office of oral health within the Massachusetts department of public health on dental public health programs for MassHealth recipients to increase access, oral health prevention activities, and other initiatives to address oral health disparities, including but not limited to workforce shortages.

Section 16E (a) The department shall have an office of oral health with responsibility for the following, though not limited to, oral public health activities:

(1) Provide recommendations and guidance to the department and other state departments, agencies, community providers, the legislature and others for preventing oral diseases of all Massachusetts residents and for improving, promoting and protecting the oral health of state residents with a focus on underserved populations and reducing oral health disparities;

1. Surveillance, study and appraisal of the state's oral health needs and resources;
2. Foster the development, expansion and evaluation of oral health services for residents of the state in collaboration with key state partners, including but not limited to other executive office of health and human services agencies and departments, including but not limited to MassHealth, department of youth services; department of social services;

- department of mental retardation, department of mental health and the executive office of elderly affairs; board of registration in dentistry; and other public agencies including but not limited to department of education and department of early education and care;
3. Provide information and education concerning oral health to the dental and health community and public;
 4. Promote and provide technical assistance, monitoring and evaluation of population-based dental programs, such as community water fluoridation and school prevention programs and mobile and portable dental programs, as well as other programs to improve access to services;
 5. Policy development to promote the public's oral health; and
 6. Other related programs, policies and preventive measures that impact oral health.

(b) Subject to appropriation, the office of oral health shall have the following staff and resources in order to fully implement the above mentioned activities:

1. 1 full time equivalent of a director of the office of oral health within the Massachusetts department of public health to coordinate activities, including but not limited to the ones outlined above. This person shall be a licensed dental professional with a public health advanced degree.
2. 1 full time equivalent of a fluoridation engineer who will conduct assessments of all existing fluoridation equipment and recommend upgrades and who will provide surveillance of existing fluoridation systems. This position shall be located in the division of environmental protection and shall work collaboratively with the office of oral health and shall be funded through an interagency agreement with the division of environmental protection.
3. 1 full time equivalent of an administrative assistant for the office of oral health to carry out administrative duties and data entry.
4. 2 full time equivalent program specialists to support public health programs that focus on oral health in underserved populations including but not limited to the issues of elders and other underserved populations and prevention and access to care programs, such as mobile and portable oral health programs and community health centers.
5. Funding for the promotion and implementation of fluoridation in Massachusetts communities that are not currently fluoridated or to upgrade current fluoridation equipment. Funds remaining after allocation for implementation of fluoridation and upgrading current fluoridation equipment shall be used to support community-based oral health prevention programs.

SECTION 2. The office of oral health shall evaluate programs and develop quality assurance activities, including but not limited to, an update on progress to date on the recommendations of the 2000 report of the special legislative commission on oral health. The update shall be delivered to the house and senate chairs of the joint committee on public health on or before May 1, 2008.”
The amendment was *rejected*.

Ms. Morrissey moved that the bill be amended, in Section 2, in item 4000-0500, by inserting after the words “that 11,900,000 shall be expended on disproportionate share payments to high public payer hospitals” the following:- “, provided further that for the acute hospitals as defined in section 1 of chapter 18G. rates of payment for health services provided to uninsured individuals shall be no less than the rates of payment currently in effect for such services of the rate of payment for such services established pursuant to section 26 of Chapter 45 of the acts of 2005, whichever is greater.”
The amendment was *rejected*.

Ms. Chandler, Mr. Augustus, Ms. Candaras, Ms. Spilka, Messrs. Montigny and Timilty, Ms. Candaras, Mr. Havern and Ms. Tucker moved that the bill be amended, in Section 2, in item 4590-0300, by striking out the figure “10,000,000” and inserting in place thereof the following figure:-“16,251,530”.
The amendment was *rejected*.

Messrs. Brewer, Moore, Brown, Knapik, Tarr, and Timilty and Ms. Spilka moved that the bill be amended, in Section 2, in item 1410-0400, by inserting at the end the following wording:- “; provided further, that notwithstanding any general or special law to the contrary, the secretary of veterans’ services shall continue a training program for veterans’ agents and directors of veterans’ services in cities and towns; provided further that the Department of Veterans’ Services shall provide this training in several locations across the Commonwealth including, but not limited to, providing training programs at the Massachusetts Veterans Service Officers Association statewide training conference”.
The amendment was *rejected*.

Messrs. Buoniconti and Knapik, and Ms. Candaras moved that the bill be amended, in Section 2, in item 4800-0038 by inserting the following:- “Provided further, that not less than \$100,000 shall be expended for Caring Health Center in the city of Springfield;” and in said item by striking the figure “\$51,554,725” and inserting in place thereof the figure “\$51,654,725”
The amendment was *rejected*.

Mr. Brown, Ms. Creem, Ms. Spilka, Messrs. Moore, Joyce, Timilty, and Tarr moved that the bill be amended, in Section 2, in item 4000-0500, by adding at the end thereof the following: “provide further, that not less than \$100,000 shall be expended for the Trauma Center at Riverside Community Care to help support on-call staff to insure rapid response to traumatic events

including but not limited to suicide, accidental death or terrorist attacks;" and in said item by striking out the figures "\$2,953,356,169," and inserting in place thereof the figures "\$2,953,456,169."

The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 9110-1660 by inserting in the last line after the word "Framingham" the following:- "provided further that not less than \$125,000 shall be expended for and aging-in-place pilot project operated by Jewish Family Service of Western Massachusetts in Springfield;" and in said item by striking the figures "\$1,956,873" and inserting in place thereof the figures "\$2,081,873".

The amendment was *rejected*.

Messrs. Tarr and O'Leary moved that the bill be amended, in Section 2, in item 4510-0600, by adding at the end thereof the following: "provided further, that not less than \$75,000 shall be expended for a comprehensive study on Lyme disease".

The amendment was *rejected*.

Mr. Buoniconti moved that the bill be amended, in Section 2, in item 4800-0038 by inserting the following:- "Provided further, that not less than \$200,000 for the Urban League to operate a Parent Empowerment Zone in the City of Springfield;" and in said item by striking the figure "\$51,554,725" and inserting in place thereof the figure "\$51,754,725".

The amendment was *rejected*.

Mr. Morrissey, and Ms. Candaras moved that the bill be amended, in Section 2, in item 4000-0300, by adding the following words:- "provided further, that notwithstanding any general or special law to the contrary, the executive office of health and human services, in conjunction with the executive office of elder affairs, shall, by August 1, 2007, for all non-acute chronic and rehabilitation hospitals, adopt and implement, for the rate year effective October 1, 2007, a Medicaid rate reimbursement methodology, that utilizes a hospital base year of 2004."

The amendment was *rejected*.

Mr. Buoniconti, Ms. Candaras and Mr. Brewer moved that the bill be amended, in Section 2, in item 1410-0250, by inserting in the last night following "Amesbury" the following:- "; Provided further that not less than \$350,000 shall be expended for the Springfield Open Pantry for the purpose of renovations to the Warming Place in the city of Springfield" and in said item by striking the figures "\$2,621,930" and inserting in place thereof the figures "\$2,971,930".

The amendment was *rejected*.

Messrs. Tarr and O'Leary, moved that the bill be amended, in Section 2, in item 4510-0600, by adding at the end thereof the following: "provided, that not less than \$200,000 shall be expended for the purposes of research and prevention of lyme disease; provided further, that of this money, not less than \$100,000 be granted to the Barnstable County Department of Health and The Environment for lyme disease research and prevention activities".

The amendment was *rejected*.

Ms. Chandler and Mr. Augustus moved that the bill be amended, in Section 2, in item 4590-0250, by inserting after "commission on gay and lesbian youth" the following: "provided that \$200,000 shall be expended for the creation of two pilot programs that integrate primary care services at school-based health centers, community health centers, and community based programs, and at least one such pilot program shall be located in the City of Worcester"; and in said item, by striking out the figure "16,548,474" and inserting in place thereof the figure "\$16,748,474".

The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended in the first paragraph of Section 64 by inserting after the first sentence the following:- "In developing the said schedule the secretary shall include the following item a \$1,000,000 one-time grant shall be awarded to a hospital in a city adjacent to Boston affiliated with the teaching hospital that serves the highest number of uninsured patients."

The amendment was *rejected*.

Ms. Chandler and Mr. Augustus moved that the bill be amended, in Section 2, in item 4000-0500, by inserting after the words "provided further, that \$11,900,000 shall be expended on disproportionate share payments to high public payer hospitals;" the following:- "provided further that there shall be a payment made by the Executive Office of Health and Human Services to Great Brook Valley Health Center in the amount of \$419,160 to reimburse for the uncompensated costs of providing certain pharmaceuticals to uninsured and underinsured individuals."

The amendment was *rejected*.

Messrs. Brown, Timilty, and Tarr moved that the bill be amended by inserting, after Section____, the following new Section:- "SECTION _____. Section 1 of Chapter 188 of the General Laws, as appearing in the 2002 Official Edition, is hereby amended by inserting the following at the end thereof:- For the purposes of this chapter all fees for the declaration of homesteads shall be waived for disabled veterans."

The amendment was *rejected*.

Messrs. O'Leary and Downing moved that the bill be amended as follows:- "Notwithstanding any provision to the contrary, until such time as the certain commission established by Section 105 of Chapter 139 of the Acts of 2006 issues its findings and such findings are acted upon by the Legislature, no "ambulatory surgery center" shall be established or operated in reliance upon the solo or group practice exception to the definition of "clinic" in Section 52 of Chapter 111 of the General Laws.

This amendment shall not apply to any ambulatory surgery center that was in full operation as of June 1, 2007. For purposes of this section, 'ambulatory surgical center' is defined as any entity, facility, or office in which surgical services requiring general, spinal, or major regional anesthesia are provided."

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 4590-0917, by striking out the item in its entirety.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 4590-0300, by striking out the figure "10,000,000" and inserting in place thereof the following figure:- "\$6,000,000".

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in Section 2, in item 4580-1000, by striking out the figure "\$48,771,508" and inserting in place thereof the following figure:- "\$38,871,508".

The amendment was *rejected*.

Ms. Jehlen and Ms. Tucker moved that the bill be amended, in Section 2, in item 4000-0600, by striking out the figures "270,000" and inserting in place thereof the figures "3,000,000" and by striking out the figures "2,034,547,985" and inserting in place thereof the figures "2,037,277,985".

The amendment was *rejected*.

Mr. Berry moved that the bill be amended, in Section 2, in item 4100-2008, by striking out the figures "1,000,000" and inserting in place thereof the figures "1,300,000".

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after Section 85, the following new Section:-

"SECTION 86. Notwithstanding any other provision of law or regulation, any non-profit organization under contract with the Commonwealth as a Senior Care Options ("SCO") contractor shall be entitled to retain, from any premium payments it receives from the Commonwealth or the Medicare Advantage Program, fifty percent of the amount of any savings due to the Commonwealth pursuant to the SCO contract with the Commonwealth."

The amendment was *rejected*.

Messrs. Barrios, Antonioni and Augustus moved that the bill be amended, in Section 2, in item 4400-1100, by inserting at the end thereof the following:- "; and provided further, that the department may allocate funds, not to exceed \$1,000,000 from this item to item 4400-1000 for the administrative costs of the department of transitional assistance."

The amendment was *rejected*.

Messrs. Barrios, Antonioni and Augustus moved that the bill be amended, in Section 2, in item 4400-1000, by striking out the figure "68,057,840" and inserting in place thereof the following wording and figure:- "; and provided further, that the department may allocate funds, not to exceed \$2,500,000 from this item to item 4400-1100 for the costs of the department's caseworkers\$69,313,007."

The amendment was *rejected*.

Ms. Jehlen and Ms. Tucker moved that the bill be amended, in Section 2, in item 9110-0100, by striking out the figures "2,416,031" and inserting in place thereof the figures "3,416,031".

The amendment was *rejected*.

Messrs. Augustus, McGee, Brown, Barrios, Knapik, Hedlund, Timilty, Hart and Joyce, Ms. Fargo, Ms. Creem, Ms. Tucker, Ms. Candaras, Ms. Jehlen, Ms. Spilka, and Mr. Havern moved that the bill be amended, in Section 2, in item 4403-2120, by striking out the following words:- " "; provided further, that playspace programs for homeless children shall be funded through this item" and inserting in place thereof the following words:- " "; provided further, \$500,000 be expended for the playspace programs for homeless children."

The amendment was *rejected*.

Mr. Knapik moved that the bill be amended in Section 64, by inserting in the first paragraph after the fourth sentence the following: "In developing the said schedule the secretary shall include the following item a \$4,000,000 grant shall be awarded to an acute care hospital located in Holyoke that provides clinical training programs for nurses, allied health professionals and technicians through affiliations with community colleges and private universities."
The amendment was *rejected*.

Mr. Knapik moved that the bill be amended in Section 64, by inserting in the first paragraph after the fourth sentence the following: "In developing the said schedule the secretary shall include the following item, a \$1,000,000 one-time grant shall be awarded to a hospital located in Hampden county, west of the Connecticut River with under 100 beds that participates in Masshealth."
The amendment was *rejected*.

Mr. Knapik, and Ms. Candaras moved that the bill be amended, in Section 2, in item 4590-0912, by striking out the figures "\$14,829,827" and inserting in place thereof the following figures:- "\$15,797,233".
The amendment was *rejected*.

Mr. Montigny, Ms. Fargo, Messrs. Knapik and Moore moved that the bill be amended, in Section 2, in item 4512-0103, by striking out the figures "36,941,316" and inserting in place thereof the figure:- "38,941,316".
The amendment was *rejected*.

Mr. Montigny, Ms. Spilka, and Ms. Tucker moved that the bill be amended, in Section 2, in item 4120-6000, by striking out the figures "10,017,606" and inserting in place thereof the following figure:- "\$11,917,606".
The amendment was *rejected*.

Ms. Fargo moved that the bill be amended, in Section 2, in item 4510-0110, by inserting after the words "Cape Cod Free Clinic;" the following: "provided further, that not less than \$200,000 shall be expended for the Joseph M. Smith Community Health Center;" and in said item, by striking out the figure "6,189,253" and inserting in place thereof the figure "6,389,253".
The amendment was *rejected*.

Mr. Montigny moved that the bill be amended, in Section 2, in item 4000-0500, by inserting after the words "implemented in fiscal year 2008" the following wording:- "; provided further, that not less than \$2,000,000 shall be expended for a one-time grant from the fund for a non-teaching, community, disproportionate share, acute care hospital located in southeastern Massachusetts, which provides inpatient care to over 7,000 MassHealth or MassHealth HMO patients per year".
The amendment was *rejected*.

As previously stated, the above amendments were considered as one, and were *rejected*.

At a half past nine o'clock P.M., on motion of Mr. Berry, the President declared a recess until the following day at eleven o'clock A.M.

Thursday, May 24, 2007.

[being the legislative session of Wednesday, May 23, 2007.]

Met at six minutes past ten o'clock A.M.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Rosenberg) handed the gavel to Ms. Walsh for the purpose of an introduction. Ms. Walsh introduced, seated in the Senate Gallery, members of the Norwood Council on Aging.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. O'Leary for the purposes of an introduction. Mr. O'Leary then introduced, in the rear of the Chamber, students from the Massachusetts Maritime Academy.

Orders of the Day.

The Orders of the Day were further considered as follows:—

The House Bill making appropriations for the fiscal year 2008 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. 4001),— **was further considered, the main question being on ordering it to a third reading.**

Mr. McGee moved that the bill be amended, in section 2, in item 2800-0500 by adding at the end thereof the following:— “provided further, that no 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 figure “\$2,385,000” and inserting in place thereof the following figure:— “\$2,885,000”.

The amendment was adopted.

Ms. Jehlen, Ms. Chandler, Ms. Resor and Mr. Tarr moved that the bill be amended by adding the following section:— “The Department of Conservation and Recreation shall conduct a full review of the staffing levels and usage at all open-space properties in the Commonwealth. Said review shall determine if proper staffing levels are in place for the acreage and usage of such open-space properties. This study shall be completed by no later than December 1, 2007, a copy of which shall be filed with the Clerk of the House of Representatives, the Clerk of the Senate, the Chairs of the House and Senate Committees on Ways and Means, and the Chairs of the Joint Committee on Environment, Natural Resources and Agriculture by no later than December 31, 2007.”

The amendment was *rejected*.

Ms. Resor, Ms. Spilka, Messrs. Timilty, Augustus Brown, Barrios and Ms. Chandler moved that the bill be amended, in section 2, in item 2800-0100, by striking out the figure “\$5,451,481” and inserting in place thereof the following figure:— “\$5,994,212.” **After remarks, the amendment was adopted.**

Ms. Resor and Messrs. Brewer and Tarr moved that the bill be amended, by inserting after section 7, the following new section:—

“Section ____ . Notwithstanding any general or special law to the contrary, amounts expended from the Natural Heritage and Endangered Species Fund, established by section 35D of chapter 10 of the General Laws, shall be exempt from indirect cost charges pursuant to Chapter 29 of the General Laws.”

The amendment was *rejected*.

Ms. Resor and Messrs. Baddour and Havern moved that the bill be amended, in section 2, in item 2000-0100, by striking out the figure “\$6,677,069” and inserting in place thereof the following figure:— “\$7,100,741”.

After remarks, the amendment was adopted.

Mr. Hedlund moved that the bill be amended, in section 2, in item 2820-0100, by inserting, after the word “Somerville;” the following:— “provided further, that \$733,000 shall be expended to improve access to both the Weir River Estuary Park and the Straits Pond Island Park in the town of Hull”; and in said item, by striking out the figure “\$26,463,582” and inserting in place thereof the following figure:— “\$27,196,582.”

The amendment was *rejected*.

Ms. Wilkerson moved that the bill be amended, in section 2, in item 2820-0100, in line 6 by inserting after “Lynn;” the following:— “provided further that not less than \$225,000 shall be expended for lighting, infrastructure repair, and horticulturalist personnel for the southwest corridor park;”.

The amendment was adopted.

Mr. Tarr moved that the bill be amended, in section 2, in item 2210-0100, by adding at the end thereof the following:— “provided further, that the department, in consultation with the Secretary of Housing and Economic Development, shall undertake a study of the impacts of current Designated Port Area regulations, codified at 301 CMR 25.00, on the economic development and sustainability of waterfront properties, facilities and businesses and the potential for modification of such regulations to incent increased investment in said areas; provided further, that the results of said study shall be filed with the clerks of the House and Senate not later than June 1, 2008.”

The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended, in section 2, in item 2810-0100, by adding at the end thereof the following:— “provided further, that \$250,000 shall be expended for the construction of a park and recreation center in the town of Holbrook”; and in said item, by striking out the figure “\$22,255,308” and inserting in place thereof the following figure:— “\$22,505,308”.

The amendment was *rejected*.

Ms. Wilkerson moved that the bill be amended, in section 2, in item 2820-0100, in line 6 by inserting after “Lynn;” the following:— “provided further, that not less than \$100,000 shall be expended for repairs, exhibit design and construction, and

additional staff for a Heritage State Park located in the Roxbury section of the city of Boston;”

The amendment was adopted.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 48, by striking the first paragraph and inserting in place thereof the following:—

“Notwithstanding the provisions of sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws, and using those competitive proposal processes as the division of capital asset management and maintenance considers necessary or appropriate, the division, in consultation with the department of conservation and recreation, may lease and enter into other agreements, for terms not to exceed 25 years, to 1 or more proponents, for 1 or more skating rinks so as to provide for the continued use, operation, maintenance repair and improvement of the following state-owned buildings and facilities, together with the land and appurtenances associated therewith, comprising those ice skating rinks and facilities formerly under the jurisdiction of the metropolitan district commission: Bajko memorial rink, Hyde Park district, Boston; Connell memorial rink, Weymouth; Devine memorial rink, Dorchester district, Boston; Emmons Horrigan O’Neill memorial rink, Charlestown district, Boston; Flynn memorial rink, Medford; Jim Roche memorial rink, West Roxbury district, Boston; LoConte memorial rink, Medford; Murphy memorial rink, South Boston district, Boston; Reilly memorial rink, Brighton district, Boston; Shea memorial rink, Quincy; Steriti memorial rink, Boston; Veterans Memorial Rink, Somerville; and, Ulin memorial rink, Milton.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-one minutes past ten o’clock A.M., on motion of Mr. Tisei, as follows, to wit (*yeas 7 — nays 28*) [**Yeas and Nays No. 31**]:

YEAS.

Brown, Scott P.
Hedlund, Robert L.
Joyce, Brian A.
Knapik, Michael R.

Morrissey, Michael W.
Tarr, Bruce E.
Tisei, Richard R. — 7.

NAYS.

Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Brewer, Stephen M.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Jehlen, Patricia D.

McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
O’Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Timilty, James E.
Tolman, Steven A.
Tucker, Susan C.
Wilkerson, Dianne — 28.

ABSENT OR NOT VOTING.

Antonioni, Robert A.
Berry, Frederick E.

Walsh, Marian — 3.

The yeas and nays having been completed at twenty-seven minutes past ten o’clock A.M., the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____ . The commissioner of the division of capital asset management and maintenance, hereinafter referred to as the commissioner, on behalf of and in consultation with the department of conservation and recreation, hereinafter referred to as the department, is hereby authorized, notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws and section 54 of said chapter, and using such competitive proposal process as the commissioner of said division deems necessary or appropriate, to enter into lease or other agreements, for terms not to exceed 25 years, to provide for the continued use, operation, maintenance, repair and improvement of the following state-owned structures and facilities together with the land and appurtenances associated therewith: Ponkapoag Golf Course, Canton, and Leo J. Martin Memorial Golf Course, Weston, both of

which hereinafter referred to as the properties.

Any such lease shall or agreement shall contain a provision requiring the lessee to carry comprehensive general liability insurance with the commonwealth named as a co-insured and protecting the commonwealth against any and all personal injury or property damage on the land during the term of the lease.

Such leases and other agreements shall be on terms acceptable to the commissioner after consultation with the department, and notwithstanding any general or special law to the contrary, shall provide for the management, operation, improvement, repair, and maintenance of the properties. Any provisions in such leases or agreements relative to capital improvements to the properties shall include (i) a description of the required capital improvements and (ii) performance specifications. Such leases and other agreements shall provide that any benefits to the commonwealth and the costs of improvements and repairs made to the properties provided by the tenants or the recipients of the properties shall be taken into account in determining the amount of lease payments. The commissioner, in consultation with the department, shall structure each lease or other agreement to minimize disturbance of the current rights of any tenants who may currently use any part of properties, whether under a written lease or other arrangement. All consideration paid in connection with any lease of the properties shall be deposited in the General Fund. The lessees of the properties shall bear all costs deemed necessary or appropriate by the commissioner of the division of capital asset management and maintenance for the transaction, including, without limitation, all costs for legal work, survey, title and the preparation of plans and specifications.

The division of capital asset management and maintenance, in consultation with and on behalf of the department of conservation and recreation, shall solicit proposals through a request for proposals which shall include key contractual terms and conditions to be incorporated into the contract, including but not limited to (1) a comprehensive list of all golf courses operated by the responsive bidder in the last four years, (2) other facilities management or experience of the responsive bidder, (3) other sports management experience of the responsive bidder, (4) a residential discount program, (5) reservation policies, (6) proposed reasonable rates that will ensure continued public access, (7) required financial audits, (8) policies to encourage use of the course by persons of all races and nationalities, (9) safety and security plans, (10) seasonal opening and closing dates, and (11) hours of operation.

The inspector general shall review and approve any request for proposal issued by the division before issuance.

The division, in consultation with the department, when evaluating proposals that are otherwise comparable, shall prefer any proposal to lease a course that is submitted by a city or town where the course is located.

It shall be a mandatory term of any request for proposals issued by the commissioner and of any contract entered into by the commonwealth with any party regarding the subject matter of this section that any party which has entered into a contract pursuant to this section with the commonwealth shall require, in order to maintain stable and productive labor relations and to avoid interruption of the operation of the courses and to preserve the safety and environmental conditions of those courses, that all employees currently working on the operation and maintenance of the courses be offered employment by any party entering into a contract pursuant to this section. Upon the execution of any agreements authorized by this section, the department of conservation and recreation shall reassign or relocate those employees who do not accept employment with the lessor, to comparable positions within the department subject to applicable collective bargaining agreements.

The provisions of any general or special law or rule or regulation relating to the advertising, bidding or award of contracts, to the procurement of services or to the construction and design of improvements shall not be applicable to any selected lessee which is awarded a contract pursuant to this section, except as provided in this section.”.

After debate, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section 85, the following new section:—

“SECTION 86. Section 548 of chapter 26 of the acts of 2003, as amended by chapter 188 of the acts of 2004, is hereby further amended by inserting at the end of the second sentence of subsection (n) the following:— “; provided, however, that proceeds from the sale of the building owned by the department of conservation and recreation located at 20 Somerset Street in the city of Boston shall be distributed in equal allotments to the cities and towns that constitute the urban parks district, as defined in section 33 of chapter 92 of the General Laws.”

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in section 2, by inserting after item 2800-0101 the following item:

“2800-0102 For the cost of development and implementation of management standards and resource management planning; provided, that these programs shall include, but not be limited to, statewide standards for park, beach, and forest operations and maintenance; performance indicators to provide transparency of operational performance that includes raising program effectiveness, reducing costs and identifying risks; completion of statewide visitor services surveys; and a management gap analysis. Provided that \$200,000 shall be allocated to the periodic completion of a management gap analysis; provided further that no more than \$350,000 shall go towards funding the department’s resource management planning program; provided that \$50,000 be expended for a regular statewide visitor services survey; provided that \$150,000 shall be allocated to the expansion and agency-wide implementation of the system for tracking of corrective, preventive and ongoing maintenance to DCR assets; provided further that funds may be expended from this item for the costs of services essential to such projects rendered by department employees or by consultants; furthermore the Stewardship Council shall submit a report on these programs to the house and senate committees on ways and means not later than November 1, 2007 and annually thereafter; and provided further

that the report shall include the status and findings of the management gap analysis and listing and status of all resource management plans 750,000”.

The amendment was *rejected*.

Mr. Hedlund moved that the bill be amended, in section 2, in item 7007-0900, by inserting, after the words “Massachusetts history;” the following:— “provided further, that not less than \$85,000 shall be expended to the Daniel Webster Estate in Marshfield for the purpose of historic preservation”; and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:— “\$17,431,265”.

The amendment was *rejected*.

Mr. Morrissey moved that the bill be amended by adding at the end thereof the following new section:—

“SECTION ____ . Section 35V of Chapter 10 of the General Laws, as so appearing, is hereby amended by striking out in subsection (a) the following:— All moneys deposited in the trust fund that are unexpended at the end of the fiscal year and that total no more than forty (40) percent of the division’s expenditures for the previous fiscal year shall not revert to the General Fund.”

The amendment was *rejected*.

Messrs. Morrissey, O’Leary, Barrios and Ms. Tucker moved that the bill be amended, in section 2, in item 7004-1000, by adding the following:—

“For a state supplement to the federal Low Income Home Energy Assistance Program 42 U.S.C. Section 8621 et seq., for the purpose of assisting low-income elders, working families and other households with the purchase of heating oil, propane, natural gas, electricity and other primary or secondary heating sources; provided, that expenditure of these supplemental funds shall be made in accordance with the state plan to be submitted by the department of housing and community development for the operation of the FY 08 program, in accordance with federal law; provided further, that the department shall establish the maximum assistance for with a household is eligible commensurate with the increased funding provided in this item; provided further, that up to \$10,000,000 may be released prior to receipt of any federal funds, to allow for timely start-up of the program, including both administrative costs and payment of benefits 10,000,000”.

After remarks, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 7007-0200, by striking out the item in its entirety.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____ . Section 1. Section 1 of chapter 30A of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out paragraph (6) and inserting in place thereof the following paragraph:—

(6) ‘Regulatory impact statement’ means a statement by the promulgating authority which shall, to a reasonable degree of completeness: (i) identify the statutory change, problem, issue or deficiency addressed by the proposed regulation; (ii) identify specifically who is affected and to what extent by the proposed regulation; (iii) identify when such regulation becomes effective, when such regulation will be changed, if known, and how and when the regulation will be reviewed in the future, if at all; (iv) identify costs and/or benefits, including, without limitation, impacts on businesses and jobs in the commonwealth and the impact to the protection of natural resources and public health, if any, paying particular attention to those environmental benefits which may not be easily or immediately quantifiable. Any data, including written information or material, statistics, measurements, calculations or other information used as the basis for the regulation, including any such information provided to the agency by a consultant, vendor or other third party, shall be part of the record and available to the public upon request.

Section 2. Section 2 of said chapter 30A, as so appearing, is hereby further amended by inserting after the third paragraph the following paragraph:—

Every agency promulgating rules and regulations shall maintain a notification list of persons and groups who are interested in the agency’s rulemaking and who request preliminary notification of agency rulemaking, with such request being renewed annually by said persons or groups. Not later than 30 days prior to the notice of a hearing described above, the agency conducting the hearing shall send a preliminary notification of agency rulemaking to each person or group who has requested preliminary notification of rulemaking and to the appropriate committee of the general court that has jurisdiction for the rule issuing agency, to the house and senate committees on ways and means and to the small business advisory council. The preliminary notification of rulemaking shall: (a) identify the rule to be noticed for hearing and the scope of the proposed rule; (b) provide the statutory authority for such proposed rulemaking; (c) identify the person within the agency responsible for the rulemaking and who can be contacted for more information; and (d) state the purpose for proposing the new regulations or change of regulation and generally, the goal or goals to be obtained.

Section 3. Said section 2 of said chapter 30A, as so appearing, is hereby further amended by inserting after the fifth paragraph the following paragraph:—

Agencies may initiate emergency regulatory actions under relevant sections of this chapter without prior compliance with

sections 1, 2, 3, and 5; provided, however that compliance shall be initiated as soon as practicable following the emergency action and, in any event, prior to making any emergency action permanent.

Section 4. Section 3 of said chapter 30A, as so appearing, is hereby further amended by inserting after the second paragraph the following paragraph:—

Every agency promulgating rules and regulations shall maintain a notification list of persons and groups interested in the agency's rulemaking and who request preliminary notification of agency rulemaking, with such request being renewed annually by said persons and groups. Not later than 30 days prior to the notice described above the agency shall send a preliminary notification of agency rulemaking to each person or group who has requested preliminary notification of agency rulemaking and to the appropriate committee of the general court that has jurisdiction for the rule issuing agency, to the house and senate committees on ways and means and to the small business advisory council. The preliminary notification shall: (a) identify the rule to be noticed and the scope of the proposed rule; (b) provide the statutory authority for such proposed rulemaking; (c) identify the person within the agency responsible for the rulemaking and who can be contacted for further information; and (d) state the purpose for proposing the new regulations or change of regulation and generally, the goal or goals to be obtained.

Section 5. Section 5 of said chapter 30A, as so appearing, is hereby amended by striking the first sentence of the second paragraph and inserting in place thereof the following:—

No rule or regulation so filed with the state secretary, except those filed for the purpose of setting rates, issuing grants or providing loans, and except those filed by the department of telecommunications and energy or the division of insurance, shall become effective until a regulatory impact statement has been completed, made public during the hearing process described above and is filed with the state secretary. The secretary of the enforcing agency shall review all regulatory impact statements prior to their filing with the state secretary to ensure and certify that a proper methodology and approach was used by the agency submitting said impact statement and to certify that the impact statement as submitted complies with the definition of 'regulatory impact statement' as set forth in section 1 of chapter 30A within 90 days of receipt.

In addition, no rule or regulation so filed, except those filed for the purpose of setting rates, issuing grants or providing loans, and except those filed by the department of telecommunications and energy or the division of insurance, shall become effective until the promulgating agency has filed with the state secretary a statement verifying that said rule or regulation does not conflict with, overlap or duplicate other agencies' rules or regulations."

The amendment was *rejected*.

Ms. Wilkerson and Mr. Tarr moved that the bill be amended in section 593 of chapter 26 of the acts of 2003 is hereby repealed.

"SECTION 2. The Massachusetts Convention Center Authority, in this section called the Authority, shall submit to the clerks of the senate and the house of representatives, the senate and house committees on ways and means and the senate and house committees on state administration a report on the feasibility of the improvement, expansion or enhancement of the Hynes Convention Center, in this act referred to as the Center, including the feasibility of incorporating commercial uses or facilities at the Center, to further attract and accommodate large gatherings of visitors and convention and meetings participants and to enhance the revenue and economic growth of the Center. The report shall include:

- (a) a description of the proposed improvement, expansion or enhancement of the Center;
- (b) a description of the lands, structures, fixtures and facilities deemed necessary or appropriate by the Authority for the improvement, expansion or enhancement of the Center;
- (c) an estimate of the capital expenses anticipated by the Authority as necessary for the improvement, expansion or enhancement of the Center;
- (d) an estimate of the operational expenses anticipated by the Authority as necessary for the operation and maintenance of the improvement, expansion or enhancement of the Center; and
- (e) a description by the Authority of the sources of the funds required to meet the capital and operating costs, including projected income, associated with the improvement, expansion or enhancement of the Center.

The Authority shall also submit any requests for proposals that the Authority may issue relevant to the expansion of the uses or facilities at the Center to the Joint committee on state administration and regulatory oversight and the house and senate committees on ways and means, at least 30 days before issuance.

The filing by the Authority with the clerks of the senate and house of representatives, the senate and house committees on ways and means and the senate and house committees on state administration of such report shall constitute full compliance with the provisions of section 38N of said chapter 190 of the acts of 1982 with respect to any capital facility project undertaken by the authority in accordance with this act."

After debate, the amendment was adopted.

Ms. Tucker and Messrs. Brown and Tarr moved that the bill be amended, in section 2, in item 7004-0099, by adding at the end thereof the following:— "provide that \$100,000 be expended for Homeowner Options for Massachusetts Elders; and in said item, by striking out the figure "\$8,520,831" and inserting in place thereof the following figure:— "\$8,620,831".

After remarks, the amendment was adopted.

Mr. Antonioni moved that the bill be amended, in section 2, in item 3000-5075, by inserting after the words "service delivery;" the following:— "provided further, that programs designated as Massachusetts Universal Pre-Kindergarten program participants must have been accredited by the National Association for the Education of Young Children, the New England Association of Schools and Colleges, the National Association of Family Child Care or a Child Development Associate (CDA) credential;".

The amendment was adopted.

Mr. Hart and Ms. Wilkerson moved that the bill be amended, in section 2, in item 7061-9619, by striking out the figure “\$1” and inserting in place thereof the following figure:— “\$300,001”.

The amendment was *rejected*.

Mr. Hart, Ms. Resor, Ms. Spilka and Mr. Tarr moved that the bill be amended by inserting after section 85, the following new section:—

“SECTION ____ . Notwithstanding any other general or special law to the contrary, 10 days after the effective date of this act, the comptroller shall transfer \$1,000,000 from the General Fund to the CITI Fund established pursuant to section 2TTT of chapter 29 of the General Laws, a portion of which is to be spent on specific activities with the Boston Advanced Technological Education Connections (BATEC) as approved by the CITI Advisory Board.”

After remarks, the amendment was *rejected*.

Messrs. Hart, Augustus, Ms. Chandler, Mr. Havern, Ms. Fargo, Messrs. McGee, Antonioni, Barrios, Brewer, Ms. Candaras, Messrs. Montigny, Timilty, Ms. Tucker, Mr. Moore, Ms. Resor, Messrs. Brown, Tisei, Knapik, Ms. Wilkerson and Mr. Joyce moved that the bill be amended, in section 2, in item 7027-0019, by striking out the figure “\$4,129,687” and inserting in place thereof the following figure:— “\$7,129,687”.

The amendment was *rejected*.

Messrs. Moore and Brown moved that the bill be amended, in section 2, by inserting after item 8700-1140 the following item: “8700-1150 For reimbursement of the cost of the Massachusetts national guard tuition and fee waivers under section 19 of chapter 15A of the General Laws; provided, that no funds shall be distributed from this account prior to certification by the state and community colleges and the University of Massachusetts of the actual amount of tuition and fees waived for national guard members attending public higher institutions under said section 19 of said chapter 15A that would otherwise have been retained by the campuses, according to procedures and regulations promulgated by the military division of the national guard; provided further, that funds from this item may be expended through August 31, 2008 for the reimbursement of the tuition and fees waived for classes taken during the summer months; provided further, that the military division of the national guard and board of higher education shall issue a joint report not later than February 15, 2008 on the implementation of this waiver; and provided further, that said report shall be provided to the secretary of administration and finance, the chairs of the house and senate ways and means committees, the house and senate chairs of the joint committee on veterans and federal affairs and the house and senate chairs of the joint committee of higher education; provided that the Military Division may expend funds appropriated in this item for administrative services 4,424,492”;

and by striking out the item “7066-0100”.

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-six minutes before twelve o’clock noon, on motion of Mr. Moore, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 32**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrisey, Michael W.
O’Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.

Jehlen, Patricia D.
Joyce, Brian A.

Walsh, Marian
Wilkerson, Dianne — 38.

NAYS — 0..

The yeas and nays having been completed at twenty-three minutes before twelve o'clock noon, the amendment was adopted.

Messrs. Antonioni, Brewer, Moore, Tarr and Barrios moved that the bill be amended, in section 2, by inserting after item 7077-0023 the following item:—

“7080-0200 For the Bay State Reading Institute, Inc.; provided, that the program shall be administered under contract to Middlesex Community College in programmatic collaboration with Fitchburg State College; provided further, that the Institute shall provide literacy based intervention in schools and districts at risk of or determined to be underperforming in accordance with sections 1J and 1K of chapter 69 of the General Laws; provided further, that schools not meeting the above criteria may be selected for assistance if they contribute not less than half of the cost of the services they receive; provided further, that preference in the awarding of said funds shall be given to schools and districts with a high percentage of minority or low-income students; provided further, that such school-wide literacy-based intervention programs shall be based on effective, research-based instruction in reading, as called for in Reading First; provided further, that in its evaluation of applications for said initiative, the executive director of said initiative may take into consideration schools' cumulative grade 3 MCAS scores; provided further, that such school-wide literacy-based intervention programs shall provide for the evaluation and tracking of all students' reading and writing skills at least annually, shall include measurable goals and benchmarks, shall be led by a school-based planning team which includes teaching faculty and the school principal, shall provide for the training of teachers in effective, research-based strategies for reading instruction and shall include a school-wide literacy coordinator who shall be responsible for the coordination and training of other school staff; provided further, that said initiative shall require that participating schools engage in frequent assessment of the progress of individual students, including diagnostics to pin-point the source of difficulty for struggling students, use small-group, student-centered instruction for a substantial part of the school day in order to allow teachers to meet the needs of individual students and differentiate instruction to help every student reach his or her potential, use research-based interventions that address the particular needs of struggling students, focus on literacy instruction, including writing across the curriculum, monitor progress frequently to make sure that the strategies used with these students are working, and seek out additional funding for after-school time and for substitutes to give teachers an opportunity to plan together, to take a leadership role in implementing change, and to meet with and observe their peers in partner schools; provided further, that funds may be used for a program to train new reading coaches and reading coach trainers; and provided further, that funds appropriated in this item for said initiative may be expended through June 30, 2009 1,500,000”.

The amendment was *rejected*.

Messrs. Antonioni, Moore, Ms. Chandler, Ms. Spilka, Messrs. Knapik, O'Leary, Downing, Augustus, Timilty, Barrios, Ms. Resor and Ms. Tucker moved that the bill be amended, in section 2, by inserting after item 7010-1022, the following item:

“7010-1023 For the purpose of providing planning grants to no more than 15 school districts, that represent a range of demographic and economic differences, to upgrade their systemic approach to improving educator quality; provided that plans submitted by districts shall be three-year plans and shall include 7 processes for improving educator quality, including, teacher hiring and recruitment, teacher induction, teacher supervision and evaluation, professional development, career advancement and teacher leadership, school structure including schedules and groupings, and school and district culture; provided further, that said plans shall show how the common core of professional knowledge about teacher learning and effective leadership is embedded in and interrelated with said processes for both teachers and administrators; provided further, that said common core for teachers shall include but not be limited to: a) applying knowledge of students and their diverse learning needs, b) applying knowledge of cognitive science, c) applying knowledge of motivation, d) applying knowledge of content, content specific pedagogy, and state curriculum frameworks, e) applying knowledge of planning, instructional design, and assessment, f) applying knowledge of data analysis of student results and classroom practices, g) applying knowledge of managing the learning environment, h) applying knowledge of ongoing professional growth, i) applying knowledge of collaborating with colleagues, families, and the community; provided further, that the common core for administrators shall include but not be limited to: a) instructional leadership, including state curriculum frameworks, student performance standards, and strategies for effective inclusive schooling for children with disabilities, b) strategic leadership, including student performance data analysis and long and short term planning, c) teacher evaluation skills and methods, including observation, performance analysis and documentation, d) professional community building, including implementation of teacher instructional leadership, e) communication skills, f) promotion of equity and diversity, and g) parent and community relationships; provided further, that not more than 15 said plans shall be approved by a statewide panel on educator quality; provided further, that said panel shall create criteria and guidelines to support the development and implementation of plans for districts and approve and disapprove grant applications; provided further, that not more than \$2,450,000 shall be made available to said pilot districts to support the development of said plans; provided further, that not more than \$1,050,000 shall be made available to the department to provide staff for establishing, training, and supporting the panel and providing technical assistance to the districts submitting plans; provided further, that said sums shall be in addition to any amounts previously appropriated and made available; and provided further, the department shall submit a quarterly report to the house and senate committees on ways and means and the joint committee on education detailing

expenditures relative to said planning process 3,500,000”.

After remarks, the amendment was *rejected*.

Messrs. Antonioni, Augustus, Moore, Joyce, McGee, Downing, Ms. Tucker, Mr. Knapik, Ms. Candaras, Ms. Chandler, Messrs. Buoniconti, Timilty, Barrios, Havern and Baddour moved that the bill be amended, in section 2, in item 3000-5075, by striking out the figure “\$7,138,739” and inserting in place thereof the following figure:— “\$15,000,000”.

The amendment was *rejected*.

Ms. Wilkerson and Mr. Tarr moved that the bill be amended by inserting, after section 10, the following section:—

“SECTION 10A. Chapter 15A of the General Laws is hereby amended by inserting after section 22 the following section:—

Section 22A. (a) For purposes of this section, the following words shall have the following meanings:—

‘Board’, the board of trustees of the Roxbury Community College.

‘Center’, the Reggie Lewis Track and Athletic Center.

‘College’, the Roxbury Community College.

‘Use for nonpublic purposes’, shall include, but not be limited to, the leasing or renting of a building for commercial entertainment activity.

‘Use for public purposes’, shall include, but not be limited to, use by Massachusetts public high school track programs, members of the abutting residential community or by members of the community at large and students, faculty, staff and alumni at Roxbury Community College.

(b) There is hereby established the Reggie Lewis Track and Athletic Center at Roxbury Community College. The center shall be located in a building with a Massachusetts state track facility which shall be maintained at the college for public purposes. In the event the facility is not in use for public purposes, the board may permit use for nonpublic purposes for a rental amount to be determined by the board.

(c) The board shall be responsible for the management and operation of the center including, but not limited to, the following:—

(i) establishing user fees;

(ii) entering into agreements with the Massachusetts State Track Coaches Association, with other public groups and, in accordance with this section, with nonpublic groups interested in leasing or renting the center for commercial entertainment activity;

(iii) establishing rules and regulations for the use of the center by Massachusetts public high school track programs, by members of the abutting residential neighborhoods and members of the community at large, by students, faculty and staff and alumni of Roxbury Community College, and, by nonpublic groups interested in leasing or renting the center for commercial entertainment activity in accordance with this section;

(iv) deciding the priority of uses and schedule for the center, in consultation with an advisory committee; and

(v) entering into agreements with vendors to provide concession stand services and other agreements as deemed necessary by the board for the maintenance and operation of the center.

(d) The center shall be made available without charge for use by Massachusetts public high school track programs and Roxbury Community College. The center shall be made available on a user fee basis for members of the public. The center shall be made available at market rate, as determined by the board, for nonpublic or commercial entertainment purposes while the center is not being used for public purposes.

(e) The annual operating expenses of the center shall be separate and distinct from appropriations within the general appropriations act for the college, shall use a separate item of appropriation and shall be audited biennially by the state auditor.”

The amendment was **adopted**.

Messrs. O’Leary, Rosenberg, McGee and Ms. Candaras moved that the bill be amended, in section 2, by adding, after item 7066-0022, the following new item:—

“7066-0023 For payments to state public institutions of higher education for the dual enrollment program, so-called; provided, that the department shall expend not more than \$200,000 to support the cost of tuition and materials for alternative education students who meet or exceed eligibility requirements for the dual enrollment program 2,000,000”.

After remarks, the amendment was *rejected*.

Ms. Fargo moved that the bill be amended, in section 2, in item 7061-0011, by inserting after the words “military reservations located within the town’s limits;” as appearing at the end of clause (5), the following:— “provided, any town so negatively impacted receiving less than such town’s target aid amount under Chapter 70 for this fiscal year, shall receive an award under this item, to total not less than 12% under such town’s target aid amount when combined with such town’s Chapter 70 aid”.

The amendment was **adopted**.

Messrs. Brown and Tarr moved that the bill be amended by insert-ing, after section ____, the following new section:—

“SECTION ____. Notwithstanding any law to the contrary the School Building Assistance Authority shall submit a list of school projects consisting of: (i) all projects approved in accordance with chapter 645 of the acts of 1948 for which the state has outstanding liability as of January 1, 2005; (ii) all approved school projects that were approved by the board of education in accord with section 6 of chapter 70B of the General Laws on or before December 31, 2004, for which the state has outstanding liability as of January 1, 2005; (iii) all projects on the school building assistance priority list maintained by the department of

education as May 1, 2004; (iv) applications submitted to the authority subsequent to July 1, 2007 for major repair projects which were formerly accepted by the board to have been necessary to avoid future and more costly renovations of the same project and if the authority determines that funding of such repair projects does not adversely impact the full funding of bonded liabilities and indebtedness under the school modernization and reconstruction trust; and (v) projects in Quincy and Swampscott which, prior to the effective date of this act, were eligible for funding under section 668 of chapter 26 of the acts of 2003. The list shall identify for each project: (i) total estimated construction costs; (ii) total estimated short-term and long-term interest costs; (iii) reimbursement rate pursuant to chapter 70B of the General Laws as in effect prior to the effective date of this act, section 329 of chapter 159 of the acts of 2000 as in effect prior to the effective date of this act, and section 668 of chapter 26 of the acts of 2003 as in effect prior to the effective date of this act; (iv) year of application; (v) year of approval, if approved; (vi) rank order on the waiting list; and (vii) other information upon the request of the authority.”
The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 0640-0010, by striking out the figure “\$10,000,000”; in item 7030-1002, by striking out the figure “\$33,866,884” and inserting in place thereof the following figure:— “\$31,131,065”; and in item 7061-9404, by striking out the figure “\$11,604,139” and inserting in place thereof the following figure:— “\$10,332,793”; and in item 7061-9408, by striking out the figure “\$9,100,434” and inserting in place thereof the following figure:— “\$7,100,434”; and in item 7061-9412, by striking out the figure “\$13,000,000” and inserting in place thereof the following figure:— “\$6,500,000”; and in item 7061-0008, by striking out the figure “\$3,725,671” and inserting in place thereof the following new figure:— “\$3,749,084,852”; and in section 3 by striking out following the words “The ‘minimum aid increment’ shall be equal to (a)” the figure “\$50” and inserting in place thereof the following figure:— “\$75”; and further moved to amend the bill in section 3 by striking the chapter 70 distribution and inserting in place thereof the following new distribution:—

“Municipality	Chapter 70	
AVON		835,650
AYER		4,121,925
BARNSTABLE		7,445,895
BARRE		17,150
BECKET		81,256
BEDFORD		2,718,196
BELCHERTOWN		11,331,565
BELLINGHAM		8,301,249
BELMONT		3,947,787
BERKLEY		5,433,420
Municipality	Chapter 70	
BERLIN		534,228
BERNARDSTON		0
BEVERLY		7,011,233
BILLERICA		15,901,349
BLACKSTONE		116,160
BLANDFORD		34,141
BOLTON		5,679
BOSTON		217,340,858
BOURNE		4,915,698
BOXBOROUGH		1,383,213
BOXFORD		1,600,682
BOYLSTON		450,125
BRAINTREE		7,601,254
BREWSTER		912,198
BRIDGEWATER		79,662
BRIMFIELD		1,184,071
BROCKTON		122,976,487

BROOKFIELD	1,364,312
BROOKLINE	6,817,914
BUCKLAND	0
BURLINGTON	4,754,153
CAMBRIDGE	8,667,428
CANTON	3,444,083
CARLISLE	798,492
CARVER	10,065,314
CHARLEMONT	130,653
CHARLTON	0
CHATHAM	627,363
CHELMSFORD	8,504,079
CHELSEA	48,655,417
CHESHIRE	303,541
CHESTER	121,302
CHESTERFIELD	128,911
CHICOPEE	43,961,130
CHILMARK	0
CLARKSBURG	1,662,857
CLINTON	10,505,585
COHASSET	1,734,396
COLRAIN	0
CONCORD	2,020,049
CONWAY	622,512
CUMMINGTON	45,840
DALTON	204,157
DANVERS	4,397,661
DARTMOUTH	9,533,583
DEDHAM	3,759,934
DEERFIELD	960,439
DENNIS	0
DIGHTON	0
DOUGLAS	7,355,992
DOVER	570,990
DRACUT	16,111,458
DUDLEY	0
DUNSTABLE	0
DUXBURY	3,629,680
EAST	
BRIDGEWATER	10,442,718
EAST BROOKFIELD	102,422
EASTHAM	320,135
EASTHAMPTON	7,903,784
EAST	
LONGMEADOW	6,633,254
EASTON	8,859,224

EDGARTOWN	424,539
EGREMONT	0
ERVING	336,853
ESSEX	0
EVERETT	28,173,143
FAIRHAVEN	7,610,128
FALL RIVER	91,398,837
FALMOUTH	5,053,449
FITCHBURG	40,225,129
FLORIDA	503,129
FOXBOROUGH	7,775,095
FRAMINGHAM	14,195,087
FRANKLIN	26,638,120
FREETOWN	1,473,205
GARDNER	18,848,819
AQUINNAH	0
GEORGETOWN	4,332,297
GILL	0
GLOUCESTER	6,117,755
GOSHEN	80,459
GOSNOLD	17,297
GRAFTON	7,828,900
GRANBY	4,182,420
GRANVILLE	1,338,460
GREAT BARRINGTON	0
GREENFIELD	9,538,033
GROTON	0
GROVELAND	0
HADLEY	746,515
HALIFAX	2,558,813
HAMILTON	0
HAMPDEN	0
HANCOCK	191,199
HANOVER	5,892,421
HANSON	22,761
HARDWICK	0
HARVARD	1,518,497
HARWICH	1,763,347
HATFIELD	802,068
HAVERHILL	35,177,741
HAWLEY	11,380
HEATH	0
HINGHAM	4,588,881
HINSDALE	107,827
HOLBROOK	4,926,902

HOLDEN	4,466
HOLLAND	807,360
HOLLISTON	6,545,516
HOLYOKE	66,232,500
HOPEDALE	6,003,097
HOPKINTON	5,621,635
HUBBARDSTON	8,221
HUDSON	7,210,855
HULL	3,857,168
HUNTINGTON	164,318
IPSWICH	2,442,756
KINGSTON	3,499,393
LAKEVILLE	2,366,411
LANCASTER	0
LANESBOROUGH	747,896
LAWRENCE	128,836,196
LEE	1,897,303
LEICESTER	9,572,646
LENOX	1,203,298
LEOMINSTER	35,757,995
LEVERETT	264,600
LEXINGTON	6,892,930
LEYDEN	0
LINCOLN	693,723
LITTLETON	2,364,529
LONGMEADOW	4,315,882
LOWELL	118,236,147
LUDLOW	11,611,188
LUNENBURG	4,355,884
LYNN	111,811,093
LYNNFIELD	3,466,781
MALDEN	37,959,272
MANCHESTER	0
MANSFIELD	15,426,990
MARBLEHEAD	4,554,157
MARION	432,006
MARLBOROUGH	9,266,120
MARSHFIELD	14,243,402
MASHPEE	4,477,265
MATTAPOISETT	543,111
MAYNARD	2,885,210
MEDFIELD	5,792,508
MEDFORD	11,451,971
MEDWAY	8,290,412
MELROSE	5,781,130
MENDON	13,301

MERRIMAC	0
METHUEN	36,301,640
MIDDLEBOROUGH	16,681,476
MIDDLEFIELD	0
MIDDLETON	1,506,933
MILFORD	12,246,871
MILLBURY	6,692,117
MILLIS	2,818,289
MILLVILLE	16,198
MILTON	4,271,444
MONROE	57,085
MONSON	7,279,520
MONTAGUE	0
MONTEREY	0
MONTGOMERY	19,396
MOUNT	
WASHINGTON	34,152
NAHANT	451,188
NANTUCKET	1,260,837
NATICK	5,348,209
NEEDHAM	5,244,757
NEW ASHFORD	164,965
NEW BEDFORD	107,743,308
NEW BRAINTREE	0
NEWBURY	0
NEWBURYPORT	3,285,954
NEW	
MARLBOROUGH	0
NEW SALEM	0
NEWTON	13,046,301
NORFOLK	3,417,346
NORTH ADAMS	14,424,225
NORTHAMPTON	7,140,066
NORTH ANDOVER	5,199,508
NORTH	
ATTLEBOROUGH	20,378,175
NORTHBOROUGH	3,128,085
NORTHBRIDGE	14,179,478
NORTH	
BROOKFIELD	4,387,068
NORTHFIELD	0
NORTH READING	5,380,553
NORTON	12,638,540
NORWELL	2,512,707
NORWOOD	4,622,546
OAK BLUFFS	651,012

OAKHAM	77,691
ORANGE	5,114,846
ORLEANS	251,787
OTIS	0
OXFORD	9,292,475
PALMER	11,094,384
PAXTON	0
PEABODY	19,904,140
PELHAM	213,187
PEMBROKE	11,590,502
PEPPERELL	8,596
PERU	72,517
PETERSHAM	449,002
PHILLIPSTON	0
PITTSFIELD	33,406,438
PLAINFIELD	41,765
PLAINVILLE	2,639,106
PLYMOUTH	19,751,636
PLYMPTON	549,044
PRINCETON	0
PROVINCETOWN	275,026
QUINCY	14,608,203
RANDOLPH	11,940,677
RAYNHAM	0
READING	8,147,167
REHOBOTH	0
REVERE	31,530,571
RICHMOND	349,820
ROCHESTER	1,535,154
ROCKLAND	9,777,095
ROCKPORT	1,347,312
ROWE	71,899
ROWLEY	0
ROYALSTON	0
RUSSELL	178,665
RUTLAND	9,873
SALEM	12,996,089
SALISBURY	0
SANDISFIELD	0
SANDWICH	6,787,968
SAUGUS	4,073,564
SAVOY	506,959
SCITUATE	4,607,651
SEEKONK	4,264,898
SHARON	6,869,868
SHEFFIELD	14,710

SHELBURNE	0
SHERBORN	476,008
SHIRLEY	4,352,580
SHREWSBURY	17,564,944
SHUTESBURY	544,335
SOMERSET	4,586,317
SOMERVILLE	20,386,039
SOUTHAMPTON	2,509,854
SOUTHBOROUGH	2,773,488
SOUTHBRIDGE	15,888,132
SOUTH HADLEY	6,478,366
SOUTHWICK	0
SPENCER	41,737
SPRINGFIELD	255,087,878
STERLING	0
STOCKBRIDGE	0
STONEHAM	3,381,981
STOUGHTON	11,564,465
STOW	0
STURBRIDGE	1,840,129
SUDBURY	4,161,807
SUNDERLAND	882,025
SUTTON	5,286,642
SWAMPSCOTT	2,542,574
SWANSEA	4,630,419
TAUNTON	43,677,932
TEMPLETON	0
TEWKSBURY	13,033,558
TISBURY	379,827
TOLLAND	0
TOPSFIELD	1,085,244
TOWNSEND	8,395
TRURO	255,225
TYNGSBOROUGH	7,195,496
TYRINGHAM	37,419
UPTON	26,191
UXBRIDGE	9,429,864
WAKEFIELD	4,734,214
WALES	695,779
WALPOLE	6,576,379
WALTHAM	7,347,836
WARE	8,022,718
WAREHAM	11,997,476
WARREN	138,259
WARWICK	0
WASHINGTON	20,775

WATERTOWN	3,246,487
WAYLAND	3,138,093
WEBSTER	9,023,067
WELLESLEY	4,733,223
WELLFLEET	151,084
WENDELL	0
WENHAM	0
WESTBOROUGH	3,817,212
WEST BOYLSTON	2,905,811
WEST	
BRIDGEWATER	1,956,260
WEST BROOKFIELD	239,791
WESTFIELD	32,998,745
WESTFORD	14,149,981
WESTHAMPTON	396,363
WESTMINSTER	0
WEST NEWBURY	0
WESTON	2,275,519
WESTPORT	4,342,024
WEST SPRINGFIELD	16,656,936
WEST	
STOCKBRIDGE	0
WEST TISBURY	0
WESTWOOD	3,172,529
WEYMOUTH	22,290,027
WHATELY	210,345
WHITMAN	131,457
WILBRAHAM	0
WILLIAMSBURG	414,747
WILLIAMSTOWN	956,518
WILMINGTON	6,852,142
WINCHENDON	10,619,190
WINCHESTER	4,238,717
WINDSOR	50,266
WINTHROP	5,090,733
WOBURN	5,906,571
WORCESTER	174,663,914
WORTHINGTON	72,581
WRENTHAM	3,716,896
YARMOUTH	0
Regional School	
Chapter 70	
NORTHAMPTON SMITH	951,811
ACTON BOXBOROUGH	5,697,578
ADAMS CHESHIRE	10,340,676
AMHERST PELHAM	9,840,357

ASHBURNHAM WESTMINSTER	9,994,177
ATHOL ROYALSTON	17,891,034
BERKSHIRE HILLS	2,821,903
BERLIN BOYLSTON	903,150
BLACKSTONE MILLVILLE	10,896,717
BRIDGEWATER RAYNHAM	20,877,868
CHESTERFIELD GOSHEN	723,647
CENTRAL BERKSHIRE	8,604,585
CONCORD CARLISLE	1,830,805
DENNIS YARMOUTH	6,808,669
DIGHTON REHOBOTH	12,678,557
DOVER SHERBORN	1,412,246
DUDLEY CHARLTON	23,176,537
NAUSET	3,419,748
FARMINGTON RIVER	408,231
FREETOWN LAKEVILLE	7,248,911
FRONTIER	2,832,292
GATEWAY	5,955,531
GROTON DUNSTABLE	10,828,609
GILL MONTAGUE	6,405,298
HAMILTON WENHAM	3,458,905
HAMPDEN WILBRAHAM	11,282,084
HAMPSHIRE	2,833,534
HAWLEMONT	628,410
KING PHILIP	7,192,497
LINCOLN SUDBURY	2,415,696
MANCHESTER ESSEX	1,627,461
MARTHA'S VINEYARD	2,882,310
MASCONOMET	4,988,094
MENDON UPTON	11,753,646
MOUNT GREYLOCK	1,741,152
MOHAWK TRAIL	6,235,458
NARRAGANSETT	10,118,760
NASHOBA	6,368,254
NEW SALEM WENDELL	666,769
NORTHBORO SOUTHBORO	2,626,546
NORTH MIDDLESEX	20,258,296
OLD ROCHESTER	1,985,117
PENTUCKET	13,338,662
PIONEER	4,102,391
QUABBIN	16,970,981
RALPH C. MAHAR	5,405,507
SILVER LAKE	6,421,336
SOUTHERN BERKSHIRE	1,885,619
SOUTHWICK TOLLAND	8,081,278
SPENCER EAST BROOKFIELD	13,577,226

TANTASQUA	7,900,013
TRITON	8,544,923
UPISLAND	833,549
WACHUSETT	19,523,126
QUABOAG	8,318,583
WHITMAN HANSON	23,051,517
ASSABET VALLEY	2,896,113
BLACKSTONE VALLEY	6,632,016
BLUE HILLS	3,896,923
BRISTOL PLYMOUTH	8,694,167
CAPE COD	2,003,566
FRANKLIN COUNTY	3,276,424
GREATER FALL RIVER	13,936,836
GREATER LAWRENCE	21,385,859
GREATER NEW BEDFORD	21,285,968
GREATER LOWELL	19,988,645
SOUTH MIDDLESEX	2,511,037
MINUTEMAN	2,284,078
MONTACHUSETT	11,556,944
NORTHERN BERKSHIRE	4,200,164
NASHOBA VALLEY	2,506,248
NORTHEAST METROPOLITAN	7,095,574
NORTH SHORE	1,639,289
OLD COLONY	3,305,023
PATHFINDER	4,807,169
SHAWSHEEN VALLEY	4,505,944
SOUTHEASTERN	11,046,245
SOUTH SHORE	3,423,553
SOUTHERN WORCESTER	8,363,912
TRI COUNTY	4,811,591
UPPER CAPE COD	2,900,905
WHITTIER	5,363,615
BRISTOL COUNTY	2,873,265
ESSEX AGRICULTURAL	4,114,071
NORFOLK COUNTY	917,530
Totals	3,749,084,852

Mr. Rosenberg in the Chair, after debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at thirteen minutes past twelve o'clock noon, on motion of Mr. Tisei, as follows, to wit (*yeas 5 — nays 33*) [**Yeas and Nays No. 33**]:

YEAS.

Brown, Scott P.
Hedlund, Robert L.
Knapik, Michael R.

Tarr, Bruce E.
Tisei, Richard R. — **5.**

NAYS.

Antonioni, Robert A.

McGee, Thomas M.

Augustus, Edward M., Jr.
 Baddour, Steven A.
 Barrios, Jarrett T.
 Berry, Frederick E.
 Brewer, Stephen M.
 Buoniconti, Stephen J.
 Candaras, Gale D.
 Chandler, Harriette L.
 Creedon, Robert S., Jr.
 Creem, Cynthia Stone
 Downing, Benjamin B.
 Fargo, Susan C.
 Hart, John A., Jr.
 Havern, Robert A.
 Jehlen, Patricia D.
 Joyce, Brian A.

Menard, Joan M.
 Montigny, Mark C.
 Moore, Richard T.
 Morrissey, Michael W.
 O’Leary, Robert A.
 Pacheco, Marc R.
 Panagiotakos, Steven C.
 Resor, Pamela
 Rosenberg, Stanley C.
 Spilka, Karen E.
 Timilty, James E.
 Tolman, Steven A.
 Tucker, Susan C.
 Walsh, Marian
 Wilkerson, Dianne — **33.**

The yeas and nays having been completed at seventeen minutes past twelve o’clock noon, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 0640-0010, by striking out the figure “\$10,000,000”; and in item 7030-1002, by striking out the figure “\$33,866,884” and inserting in place thereof the figure:— “\$31,131,065”; and in item 7061-9404, by striking out the figure “\$11,604,139” and inserting in place thereof the following figure:— “\$10,332,793”; and in item 7061-9408, by striking out the figure “\$9,100,434” and inserting in place thereof the following figure:— “\$10,332,793”; and in item 7061-9412, by striking out the figure “\$13,000,000” and inserting in place thereof the following figure:— “\$10,500,000”; and in item 7061-0008, by striking out the figure “\$3,725,671” and inserting in place thereof the following new figure:— “\$3,742,274,797”; and in section 3 by striking out chapter 70 distribution and inserting in place thereof the following new distribution:—

Municipality	Chapter 70	
ABINGTON		7,270,530
ACTON		4,914,342
ACUSHNET		6,209,571
AGAWAM		15,520,472
AMESBURY		8,706,827
AMHERST		6,251,628
ANDOVER		6,399,076
ARLINGTON		5,814,120
ASHLAND		4,129,490
ATTLEBORO		28,170,136
AUBURN		5,495,793
AVON		718,290
AYER		3,951,217
BARNSTABLE		7,079,562
BEDFORD		2,422,013
BELCHERTOWN		12,026,999
BELLINGHAM		8,165,099
BELMONT		3,883,262
BERKLEY		5,382,318
BERLIN		529,128
BEVERLY		6,831,822

BILLERICA	17,050,225
BOSTON	213,606,647
BOURNE	4,847,994
BOXBOROUGH	1,370,363
BOXFORD	1,579,157
BOYLSTON	441,425
BRAINTREE	8,545,862
BREWSTER	897,827
BRIMFIELD	1,198,699
BROCKTON	122,527,448
BROOKFIELD	1,357,887
BROOKLINE	6,090,116
BURLINGTON	4,280,835
CAMBRIDGE	8,074,398
CANTON	3,166,923
CARLISLE	732,788
CARVER	9,977,983
CHATHAM	560,384
CHELMSFORD	8,321,261
CHELSEA	48,435,815
CHICOPEE	44,993,114
CLARKSBURG	1,653,654
CLINTON	10,430,157
COHASSET	1,793,127
CONCORD	1,878,314
CONWAY	577,136
DANVERS	4,141,023
DARTMOUTH	9,573,571
DEDHAM	3,660,905
DEERFIELD	986,775
DOUGLAS	7,307,292
DOVER	478,399
DRACUT	15,991,990
DUXBURY	3,898,489
EAST BRIDGEWATER	10,323,987
EASTHAM	283,545
EASTHAMPTON	7,845,389
EAST LONGMEADOW	8,111,183
EASTON	8,759,600
EDGARTOWN	397,980
ERVING	343,530
EVERETT	28,718,022
FAIRHAVEN	7,547,169
FALL RIVER	90,912,343

FALMOUTH	4,845,359
FITCHBURG	39,895,154
FLORIDA	515,403
FOXBOROUGH	7,807,108
FRAMINGHAM	15,618,503
FRANKLIN	26,625,929
FREETOWN	1,493,044
GARDNER	18,778,744
GEORGETOWN	4,286,190
GLOUCESTER	6,000,078
GRAFTON	7,877,781
GRANBY	4,348,970
GRANVILLE	1,322,519
GREENFIELD	9,772,950
HADLEY	698,891
HALIFAX	2,522,146
HANCOCK	188,899
HANOVER	5,957,733
HARVARD	1,577,677
HARWICH	1,637,554
HATFIELD	843,569
HAVERHILL	34,420,446
HINGHAM	4,760,606
HOLBROOK	5,007,273
HOLLAND	802,385
HOLLISTON	6,396,272
HOLYOKE	65,881,009
HOPEDALE	6,027,228
HOPKINTON	5,530,454
HUDSON	7,597,850
HULL	3,823,493
IPSWICH	2,438,952
KINGSTON	3,463,408
LAKEVILLE	2,342,872
LANESBOROUGH	814,097
LAWRENCE	128,199,470
LEE	1,883,494
LEICESTER	9,430,687
LENOX	1,185,273
LEOMINSTER	35,893,303
LEVERETT	245,015
LEXINGTON	6,153,926
LINCOLN	608,369
LITTLETON	2,662,419
LONGMEADOW	4,059,040
LOWELL	116,967,139

LUDLOW	12,281,559
LUNENBURG	4,675,628
LYNN	111,397,801
LYNNFIELD	3,409,847
MALDEN	38,151,903
MANSFIELD	16,273,457
MARBLEHEAD	4,468,198
MARION	396,035
MARLBOROUGH	10,764,897
MARSHFIELD	14,248,570
MASHPEE	4,249,504
MATTAPOISETT	520,898
MAYNARD	3,246,988
MEDFIELD	5,716,810
MEDFORD	11,212,209
MEDWAY	8,864,791
MELROSE	5,686,712
METHUEN	36,048,231
MIDDLE- BOROUGH	16,451,913
MIDDLETON	1,487,167
MILFORD	13,375,856
MILLBURY	6,644,137
MILLIS	3,095,897
MILTON	4,110,121
MONSON	7,316,682
NAHANT	428,185
NANTUCKET	1,068,710
NATICK	4,889,039
NEEDHAM	5,556,031
NEW BEDFORD	107,109,558
NEWBURYPORT	3,208,164
NEWTON	11,551,235
NORFOLK	3,392,371
NORTH ADAMS	14,071,880
NORTHAMPTON	7,068,616
NORTH ANDOVER	4,939,663
NORTH ATTLE- BOROUGH	20,557,501
NORTH- BOROUGH	3,211,191
NORTHBRIDGE	14,077,200
NORTH BROOKFIELD	4,367,043
NORTH	

READING	5,312,088
NORTON	12,481,288
NORWELL	2,463,010
NORWOOD	4,110,071
OAK BLUFFS	635,136
ORANGE	4,996,498
ORLEANS	246,812
OXFORD	9,188,420
PALMER	11,013,156
PEABODY	19,612,544
PELHAM	236,876
PEMBROKE	11,534,323
PETERSHAM	451,832
PITTSFIELD	34,511,648
PLAINVILLE	2,615,951
PLYMOUTH	19,856,382
PLYMPTON	537,953
PROVINCETOWN	271,201
QUINCY	14,194,664
RANDOLPH	11,965,473
READING	8,313,307
REVERE	31,257,274
RICHMOND	344,495
ROCHESTER	1,604,210
ROCKLAND	9,721,673
ROCKPORT	1,293,521
ROWE	63,624
SALEM	13,774,273
SANDWICH	6,617,689
SAUGUS	3,997,139
SAVOY	504,459
SCITUATE	4,523,698
SEEKONK	4,016,455
SHARON	6,785,118
SHERBORN	419,780
SHIRLEY	4,310,107
SHREWSBURY	17,940,922
SHUTESBURY	539,529
SOMERSET	5,031,991
SOMERVILLE	20,255,639
SOUTHAMPTON	2,430,524
SOUTH- BOROUGH	2,732,777
SOUTHBRIDGE	15,743,831
SOUTH HADLEY	6,988,937
SPRINGFIELD	253,977,034

STONEHAM	3,423,607
STOUGHTON	12,120,448
STURBRIDGE	2,024,827
SUDBURY	4,108,393
SUNDERLAND	862,599
SUTTON	5,210,373
SWAMPSCOTT	2,441,611
SWANSEA	4,514,355
TAUNTON	43,349,178
TEWKSBURY	13,139,919
TISBURY	347,583
TOPSFIELD	1,104,311
TRURO	247,404
TYNGS- BOROUGH	7,138,028
UXBRIDGE	9,376,134
WAKEFIELD	4,538,453
WALES	688,252
WALPOLE	6,679,314
WALTHAM	6,891,104
WARE	7,854,067
WAREHAM	11,810,327
WATERTOWN	2,967,600
WAYLAND	2,846,834
WEBSTER	9,033,906
WELLESLEY	5,485,303
WELLFLEET	141,699
WESTBOROUGH	3,715,239
WEST BOYLSTON	2,832,540
WEST BRIDGEWATER	1,903,049
WESTFIELD	32,917,311
WESTFORD	14,678,932
WESTHAMPTON	412,263
WESTON	1,905,926
WESTPORT	4,283,101
WEST SPRINGFIELD	17,676,261
WESTWOOD	3,169,358
WEYMOUTH	22,748,958
WHATELY	203,659
WILLIAMSBURG	408,847
WILLIAMSTOWN	946,993
WILMINGTON	8,761,253
WINCHENDON	10,528,918

WINCHESTER	4,645,952
WINTHROP	5,010,238
WOBURN	5,415,877
WORCESTER	3,688,296
WRENTHAM	173,180,436
NORTHAMPTON SMITH	883,077
ACTON BOXBOROUGH	6,376,272
ADAMS CHESHIRE	10,276,502
AMHERST PELHAM	9,783,407
ASHBURNHAM	
WESTMINSTER	9,974,347
ATHOL ROYALSTON	17,829,437
BERKSHIRE HILLS	2,793,903
BERLIN BOYLSTON	873,001
BLACKSTONE MILLVILLE	10,612,883
BRIDGEWATER RAYNHAM	20,619,528
CHESTERFIELD GOSHEN	719,547
CENTRAL BERKSHIRE	8,773,717
CONCORD CARLISLE	1,768,775
DENNIS YARMOUTH	6,712,794
DIGHTON REHOBOTH	12,582,615
DOVER SHERBORN	1,327,662
DUDLEY CHARLTON	23,029,689
NAUSET	3,379,473
FARMINGTON RIVER	401,956
FREETOWN LAKEVILLE	6,946,857
FRONTIER	2,782,408
GATEWAY	5,958,069
GROTON DUNSTABLE	10,733,960
GILL MONTAGUE	6,285,787
HAMILTON WENHAM	3,391,978
HAMPDEN WILBRAHAM	12,130,373
HAMPSHIRE	2,826,564
HAWLEMONT	625,635
KING PHILIP	7,120,386
LINCOLN SUDBURY	2,366,628
MANCHESTER ESSEX	1,571,986
MARTHA'S VINEYARD	2,861,785
MASCONOMET	4,882,555
MENDON UPTON	11,852,415
MOUNT GREYLOCK	1,727,227
MOHAWK TRAIL	6,097,234
NARRAGANSETT	10,113,586
NASHOBA	6,151,038
NEW SALEM WENDELL	648,681
NORTHBORO SOUTHBORO	2,644,363

NORTH MIDDLESEX	19,876,938
OLD ROCHESTER	2,076,249
PENTUCKET	13,258,787
PIONEER	4,078,816
QUABBIN	16,872,258
RALPH C MAHAR	5,378,535
SILVER LAKE	6,312,887
SOUTHERN BERKSHIRE	1,825,274
SOUTHWICK TOLLAND	7,990,261
SPENCER EAST BROOKFIELD	13,491,340
TANTASQUA	7,703,408
TRITON	8,460,603
UPISLAND	824,474
WACHUSETT	20,393,469
QUABOAG	8,250,712
WHITMAN HANSON	22,931,647
ASSABET VALLEY	2,809,455
BLACKSTONE VALLEY	6,576,759
BLUE HILLS	3,707,412
BRISTOL PLYMOUTH	8,616,569
CAPE COD	1,986,191
FRANKLIN COUNTY	3,343,531
GREATER FALL RIVER	13,790,922
GREATER LAWRENCE	21,342,881
GREATER NEW BEDFORD	21,065,154
GREATER LOWELL	19,918,193
SOUTH MIDDLESEX	2,402,335
MINUTEMAN	2,272,053
MONTACHUSETT	11,546,349
NORTHERN BERKSHIRE	4,199,715
NASHOBA VALLEY	2,537,046
NORTHEAST METROPOLITAN	7,113,735
NORTH SHORE	1,601,046
OLD COLONY	3,278,259
PATHFINDER	4,826,944
SHAWSHEEN VALLEY	5,157,689
SOUTHEASTERN	11,041,209
SOUTH SHORE	3,414,784
SOUTHERN WORCESTER	8,370,219
TRI COUNTY	4,858,336
UPPER CAPE COD	2,794,412
WHITTIER	5,386,549
BRISTOL COUNTY	2,880,618
ESSEX AGRICULTURAL	3,904,235
NORFOLK COUNTY	942,663

The amendment was *rejected*.

Messrs. Augustus, Antonioni, Tarr and McGee moved that the bill be amended, in section 2, in item 7010-0005, by striking out the following:— “provided further, that not more than \$150,000 shall be expended by the department to study the adequacy of the foundation budget as defined in section 2 of chapter 70 of the General Laws” and inserting in place thereof the following:— “provided further, that a committee shall be established, to be known as the Education Resource Study Committee, made up of the chairs of the Joint Committee on Education, the Secretary of Administration and Finance, or her designee, the Commissioner of the Department of Education, or his designee, and the Governor’s Education Advisor, to conduct a study to determine the resources necessary to achieve the commonwealth’s educational goals; provided further, that the committee shall contract with an objective, independent consultant to conduct a professional assessment to ascertain the resources and the costs of the resources needed to provide all students in Massachusetts with the opportunity for a high quality education to enable them to reach their potential as set forth in the Education Reform Act of 1993;” and in said item by striking out, in line 16, the word “department” and inserting in place thereof the following:— “committee”; and in said item by striking out, in line 25, the word “department” and inserting in place thereof the following:— “committee”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-three minutes past twelve o’clock noon, on motion of Mr. Tisei, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 34**]:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O’Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Credon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne — 38.

NAYS — 0..

The yeas and nays having been completed at twenty-seven minutes past twelve o’clock noon, the amendment was **adopted**.

Mr. O’Leary moved that the bill be amended by adding, at the end thereof, the following new section:—

“SECTION _____. There shall be established and set up on the books of the commonwealth a separate trust fund to be known as the College and Career Readiness Initiative, the purpose of which is the development, implementation and on-going operation of a college and career readiness portal.

The fund shall be administered by the board of higher education, in consultation with the department of education. The portal will provide guidance and support around appropriate coursework and testing in the middle and high school, college selection, potential costs to attend college and available sources of financial aid. Access would be free and available to all Massachusetts students and their families, and would be modeled after a similar site in North Carolina.

Said fund may accept private contributions. All monies deposited into the fund shall be expended by the board of higher education, without further appropriation for the purpose set forth in this section. Monies deposited in the trust fund that are expended at the end of the fiscal year shall not revert to the General Fund, but shall be available for expenditure by the board of higher education in subsequent years.”; and by adding, after item 7066-0000, the following new item:

“7066-0001 For the development and operation of the College and Career Readiness Initiative 1,000,000”.

After remarks, the amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in section 2, in item 8100-0000, by inserting after the words “watershed property of the department of conservation and recreation;” the following:— “; and provided further that not less than \$100,000 shall be expended to provide additional police patrols for the Blue Hills Reservation”; and in said item, by striking out the figure “\$257,437,906” and inserting in place thereof the following figure:— “\$257,537,906”.

The amendment was **adopted**.

Mr. Joyce and Ms. Spilka moved that the bill be amended, in section 2, in item 8324-0000, by adding the following:— “; provided further, that \$100,000 shall be expended to Norfolk County to maintain and improve services of the Norfolk County Regional Fire and Rescue Dispatch Center”; and in said item, by striking out the figure “\$12,107,596” and inserting in place thereof the following figure:— “12,207,596”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in section 2, in item 7004-0099, by adding at the end thereof the following:— “that not less than \$100,000 shall be expended for the safe neighborhood initiative pilot program in the Grove Hall area of Roxbury and Dorchester”; and in said item by striking out the figure “\$26,705,871” and inserting in place thereof the following figure:— “\$26,805,871”.

The amendment was **adopted**.

Mr. Joyce moved that the bill be amended, in section 2, in item 8000-0010, by adding the following:— “; provided further, that not less than \$25,000 shall be expended to provide additional Milton Police patrols for that portion of the Neponset River multi-use trail in the town of Milton and provided further such funds shall be in addition to any funds received from this account in fiscal year 2007”; and in said item, by striking out the figure “\$21,351,035” and inserting in place thereof the following figure:— “\$21,376,035”.

The amendment was *rejected*.

Mr. Moore moved that the bill be amended, in section 2, in item 1750-0100, by adding at the end thereof the following:— “provided, further that the division is directed to reach a contract settlement between the commonwealth and employees of the department of corrections not later than three months after the effective date of this act and shall seek such supplemental appropriations as may be necessary to implement such contract;”.

After remarks, the amendment was *rejected*.

Mr. Downing moved that the bill be amended, in section 2, after item 8910-0445, by inserting the following new item: “8910-XXXX The Berkshire sheriff’s department may expend an amount not to exceed \$1,100,000 from revenues collected from the City of Pittsfield Public School System; provided further, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the Sheriff’s Office may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent revenue estimate therefore as reported in the state accounting system; and provided further, that all expenditures from this item shall be subject to Chapter 29 of the General Laws and recorded on the Massachusetts management accounting and reporting system 1,100,000”.

The amendment was **adopted**.

Messrs. Brown, Knapik, Timilty and Tarr moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____. Paragraph (b) of subsection (2) of section 178K of chapter 6 of the General Laws, as most recently amended by section 20 of chapter 77 of the Acts of 2003, is hereby further amended by inserting the in the fourth paragraph after the words ‘dangerousness posed to the public’ the following words:— ‘, however if the offender is convicted for a crime against a minor the offender shall receive a mandatory minimum of a level three classification’.”

The amendment was *rejected*.

Messrs. Brown, Knapik, Timilty and Tarr moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____. Subsection (e) of section 178E of chapter 6 of the General Laws, as most recently amended by section 20 of chapter 77 of the acts of 2003, is hereby further amended by striking out the subsection in its entirety.”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended, in section 2, in item 8000-0010, by adding at the end thereof the following:— “provided further, that not less than \$150,000 shall be provided to the Town of Hamilton for a one-time expenditure for upgrades to support community policing”.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 8000-0054, by striking out the item in its entirety.

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at eight minutes before one o'clock P.M., on motion of Mr. Tisei, as follows, to wit (*yeas 5 — nays 33*) [**Yeas and Nays No. 35**]:

YEAS.

Brown, Scott P.
Hedlund, Robert L.
Knapik, Michael R.

Tarr, Bruce E.
Tisei, Richard R. — **5.**

NAYS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Jehlen, Patricia D.
Joyce, Brian A.

McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Timilty, James E.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **33.**

The yeas and nays having been completed at four minutes before one o'clock P.M., the amendment was *rejected*.

There being no objection, during the consideration of the Orders of the Day, the following matters were considered, as follows:

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:—
Resolutions (filed by Mr. Berry) “congratulating Councilor Leonard F. O’Leary on his retirement from the Salem City Council”;
Resolutions (filed by Mr. Creedon) “recognizing the Hanover Hunt and Riding Club Day, June 9, 2007”;
Resolutions (filed by Mr. Downing) “on the seventy-fifth anniversary of the Jacob’s Pillow Dance Festival”;
Resolutions (filed by Messrs. Joyce and Timilty) “on the retirement of Dr. Claire Jackson”;
Resolutions (filed by Mr. Moore) “observing Myasthenia Gravis Awareness Month”; and
Resolutions (filed by Ms. Wilkerson) “congratulating Deliverance Temple Church of God.”

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:
The House Bill authorizing the town of Wellesley to convey a certain parcel of land (printed in House, No. 3748),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the relocation and alteration of the layout of High Pole Hill Road in the town of Provincetown (House, No. 3755),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Chatham to lease certain buildings (House, No. 3952),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Wellesley to convey a certain parcel of land (House, No. 3954),— **was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.**

Recess.

There being no objection, at one minute before one o'clock P.M., at the request of Mr. Tisei, for the purpose of a minority caucus, the Chair (Mr. Rosenberg) declared a recess; and, at nine minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were further considered as follows:—

The House Bill making appropriations for the fiscal year 2008 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. 4001),— was further considered, the main question being on ordering it to a third reading. Mr. Brewer moved that the bill be amended, in section 2, in item 7007-0900, by inserting at the end thereof the following:— “provided further, that not less than \$300,000 shall be expended for the Sturbridge Heritage and Preservation Partnership”; and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:— “\$17,646,265”. The amendment was **adopted**.

Ms. Tucker moved that the bill be amended, in section 2, in item 7003-0702, in line 70, by striking out the figure “\$50,000” and inserting in place thereof the following figure:— “\$150,000”; and in said item, by striking out the figure “\$7,723,000” and inserting in place thereof the following figure:— “\$7,823,000”. The amendment was **adopted**.

Mr. Barrios moved that the bill be amended, in section 2, in item 7007-0900, after the phrase “Merrimack Repertory Theater” the following:— “; provided further that not less than \$100,000 be granted to the Harvard Square Business Association for outdoor Elizabethan theater that will promote tourism in the City of Cambridge”; and by striking out the figure “\$17,346,265” and insert in place thereof the following figure:— “\$17,346,365”. The amendment was **adopted**.

Mr. Barrios, Ms. Wilkerson, Messrs. Montigny, Timilty and Augustus moved that the bill be amended, in section 2, in item 8000-0038, by inserting after item 8000-0010 the following item: “8000-0038 For the operation of a witness protection program pursuant to chapter 263A of the General Laws 500,000”. The amendment was *rejected*.

Mr. Brown, Ms. Candaras and Mr. Tarr moved that the bill be amended by inserting, after section ____, the following new section:— “SECTION _____. Notwithstanding any special or general law to the contrary, a commission will be established to design and distribute through the Registry of Motor Vehicles (RMV), a decal for veteran’s license plates in the Commonwealth commemorating the veterans who served in Operation Enduring Freedom and a decal commemorating the veterans who served in Operation Iraqi Freedom. The commission will consist of the Registrar of Motor Vehicles, or her designee, the Adjutant General of the Massachusetts National Guard, or his designee, the Secretary of Veteran’s Services, or his designee, three members of the House of Representatives that are chosen by the Speaker, one of which a member of the minority party, three members of the Senate, chosen by the Senate President, one of which is a member of the minority party and two Veteran’s Agents appointed by the Governor. The Commission shall report the results of the design and distribution of the decal to the Legislature no later than December 31, 2007.” The amendment was **adopted**.

Ms. Spilka moved that the bill be amended, in section 2, in item 4512-0200, by striking out the words “and provided further, that not less than \$45,000 shall be expended in grants for the Framingham Coalition for the Prevention of Drug and Alcohol Abuse” and inserting in place thereof the following words:— “and provided further, that not less than \$145,000 shall be expended in grants for the Framingham Coalition for the Prevention of Drug and Alcohol Abuse”. The amendment was **adopted**.

Ms. Jehlen, Ms. Tucker and Ms. Chandler moved that the bill be amended, in section 2, by inserting after item 9110-1633 the following item: “9110-1635 For a one-time rate add-on for wages, compensation and/or salary and associated employee-related costs to personnel providing homemaker and personal care homemaker services to elderly clients under items 9110-1500, 9110-1630 and 4000- 0600 1,000,000”. The amendment was *rejected*.

Mr. Joyce moved that the bill be amended, in section 2, in item 5920-2000, by adding the following:— “; provided further that not less than \$100,000 shall be expended for Employ+Ability in the town of Braintree”.

The amendment was *rejected*.

Ms. Menard moved that the bill be amended, in section 2, in item 4100-0060, by striking out the words “that notwithstanding any general or special law to the contrary, the division shall maintain the rate paid for the dispensing fees to retail pharmacies for prescribed drugs to publicly aided or industrial accident patients at \$3 in fiscal year 2008” and inserting in place thereof the following words:— “the division shall prepare a report on the savings realized by the MassHealth Pharmacy Program, for the first 3 months of fiscal year 2008, as a result of the reimbursement rate reductions for multiple source drugs for which upper limits have been set by the federal centers for Medicare and Medicaid services; provided further, that using said data, the division shall also estimate the program savings for fiscal year 2008; provided further, that the division shall forward a copy of this report to the Secretary of Administration and Finance, and to the House and Senate Committees on Ways and Means no later than November 15, 2007; and provided further the division, after consultation with the Secretary and the Chairpersons of the Ways and Means committees, may adjust pharmacy dispensing fees for multiple source prescription drugs to compensate for any reduction as a result of the upper limits implemented under the Deficit Reduction Act of 2005”.

The amendment was **adopted**.

Ms. Jehlen, Ms. Chandler, Ms. Tucker, Ms. Fargo, Ms. Spilka, Ms. Creem and Messrs. Joyce, Augustus, Hedlund, Barrios and Ms. Candaras moved that the bill be amended, in section 2, by inserting after item 9110-1636 the following item:

“9110-1650 For the family caregivers program 500,000”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in section 2, in item 7004-0099, by striking out the words “provided further, that not less than \$50,000 shall be expended for the Boston Housing Authority for a program to provide certain tenant services for the West Broadway Task Force;” and inserting in place thereof the following:— “provided further, that not less than \$95,000 shall be expended for the Boston Housing Authority for a program to provide certain tenant services for the West Broadway Task Force;” and in said item, by striking out the figure “\$8,520,831” and inserting in place thereof the following figure:— “\$8,565,831”.

The amendment was *rejected*.

Mr. McGee moved that the bill be amended, in section 2, in item 4513-1000, by adding at the end thereof the following:— “provided further, that not less than \$200,000 shall be expended for an elder health and outreach program in Saugus”; and in said item, by striking out the figure “\$6,189,253” and inserting in place thereof the following figure:— “\$6,389,253”.

The amendment was *rejected*.

Mr. Hart moved that the bill be amended, in section 2, in item 4512-0200, by adding at the end thereof the following:— “that not less than \$70,000 shall be expended for the Adolescent Education program of the South Boston Neighborhood House in the South Boston section of the city of Boston”; and in that item by striking out the figure “\$77,811,216” and inserting in place thereof the following figure:— “\$77,881,216”.

After remarks, The amendment was **adopted**.

Messrs. Moore and Tarr and Ms. Candaras moved that the bill be amended, in section 2, in item 4000-0500, by adding at the end thereof the following:— “provided further that, no later than December 1, 2007, the Office of Medicaid shall submit a Medicaid Transformation Grant, federal funding opportunity number HHS-2007-CMS-MTG-0010, to the Centers for Medicare & Medicaid Services (CMS) to fund a MassHealth e-Prescribing pilot project to introduce electronic prescription writing (e-prescribing) to Medicaid providers for developing, piloting, evaluating and rolling out a real-time decision support solution that can be integrated into providers’ workflow that will be accomplished by integrating prior authorization, preferred drug lookup, and other components of Affiliated Computer Services’ (ACS, Mass Health’s claims processing contractor) application used by MassHealth providers with the Rx Gateway for prescription routing and related services already under development by MA-SHARE (Massachusetts Simplifying Healthcare Among Regional Entities), the Commonwealth’s public-private collaborative for health information exchange; provided further that the Office of Medicaid shall forward a copy of this application to the House and Senate Committee on Ways and Means and the House and Senate Chairs of the Joint Committee on Health Care Financing;”.

The amendment was **adopted**.

Mr. Moore moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____. Section 1. Section 16J of chapter 6A, as added by chapter 58 of the acts of 2006 is hereby amended by inserting after the definition of ‘Physician Group Practice’ the following definition:—

‘Third Party Administrator’, an entity that administers payments for health care services on behalf of a client plan in exchange for an administrative fee.

Section 2. Section 16L of chapter 6A, as added by chapter 58 of the acts of 2006 is hereby amended by striking out paragraph (d) and inserting in place thereof the following paragraph:—

(d) Insurers, third party administrators, and health care providers shall submit data to the council or to the independent organization on behalf of the council, as required by regulations promulgated under subsection (e). If any insurer, third party

administrator, or health care provider fails to submit required data to the council on a timely basis, the council shall provide written notice to the insurer, administrator or provider. If the insurer, third party administrator, or health care provider fails, without just cause, to provide the required information within 2 weeks following receipt of said written notice, the insurer, administrator, or provider may be required to pay a penalty of \$1,000 for each week of delay; provided, however, that the maximum penalty under this section shall be \$50,000.

Section 3. Section 136 of chapter 58 of the acts of 2006 is hereby amended by striking the section in its entirety and replacing it with:

The website to be established pursuant to section 16L of chapter 6A of the General Laws shall be operational not later than September 1, 2007 and shall include, at a minimum, links to other internet sites that display comparative cost and quality information. Not later than March 1, 2008, the internet site shall, at a minimum, include comparative cost information by facility and, as applicable, by clinician or physician group practice for obstetrical services, physician office visits, high-volume elective surgical procedures, high-volume diagnostic tests and high-volume therapeutic procedures. Cost information shall include, at a minimum, the average payment for each service or category or service received by each facility, clinician or physician practice on behalf of insured patients. Cost information shall be aggregated for all insurers and the council shall not publicly release the payment rates of any individual insurer which shall not be deemed to be public record.”

The amendment was **adopted**.

Ms. Spilka, Ms. Chandler, Ms. Tucker, Ms. Creem, Ms. Fargo, Ms. Jehlen, Ms. Candaras, Messrs. Antonioni, Augustus, Joyce, Knapik, Hedlund and Timilty moved that the bill be amended, in section 2, by inserting after item 9110-1636 the following item: “9110-1640 For the Geriatric Mental Health Services program, including residential care, case management, and day treatment services, to deinstitutionalize or divert elders with serious and persistent mental illness from institutionalized settings 425,000”. The amendment was *rejected*.

Ms. Candaras, Mr. Augustus, Ms. Chandler and Mr. Moore moved that the bill be amended, in section 2, in item 4580-1000, by striking out the figure “\$48,771,508” and inserting in place thereof the following figure:— “\$61,571,508”.

After remarks, the amendment was *rejected*.

Ms. Creem, Ms. Spilka, Messrs. Timilty, Creedon, Ms. Tucker, Ms. Resor, Ms. Jehlen, Messrs. Brown, Augustus, Montigny and Ms. Candaras moved that the bill be amended, in section 2, in item 4513-1000, by inserting, after the words, “Falmouth Family Planning;” the following:— “provided further, that \$450,000 shall be expended for the Massachusetts Birth Defects Monitoring Program;” and at the end by striking out the figure “\$6,396,716” and inserting in place thereof the following figure:— “\$6,846,716”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-six minutes before three o’clock P.M., on motion of Ms. Creem, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 36**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
O’Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38**.

NAYS — 0..

The yeas and nays having been completed at twenty minutes before three o'clock P.M., The amendment was **adopted**.

Ms. Creem, Ms. Wilkerson, Ms. Chandler, Ms. Candaras and Messrs. Timilty, Montigny, Havern, Barrios, McGee and Baddour moved that the bill be amended, in section 2, in item 9110-1660, in line 2, by striking out the figure "\$100,000" and replacing it with the following figure:— "\$216,000"; and striking out the figure "\$1,956,873" and inserting in place thereof the following figure:— "\$2,072,873".

The amendment was *rejected*.

Ms. Tucker and Messrs. Brown, Havern, Tisei, Joyce, Tarr, Ms. Jehlen, Messrs. Brewer, Morrissey, Knapik, Augustus, Buoniconti, Ms. Candaras, Ms. Wilkerson, Messrs. Hedlund, Timilty and Moore moved that the bill amended, in section 2, by inserting after item 9110-1604 the following item:

"9110-1605 For a rate add-on to vendor payments to rest homes; provided that the executive office shall coordinate with the division of transitional assistance to ensure that payments from line items 4405-2000 and 4408-1000 are made to residents of rest homes; and provided further that in addition to amounts appropriated in line items 4405-2000 and 4408-1000 for residents of rest homes, the executive office shall expend not less than \$3,300,000 for a \$5.00 per diem rate add on for rest homes 3,300,000".

The amendment was *rejected*.

Messrs. Moore, Augustus, Havern and Ms. Tucker moved that the bill be amended, in section 2, in item 4580-1000, by striking out the figure "\$48,771,508" and inserting in place thereof the following figure:— "\$61,571,508"; and striking out the following language:— "provided further, that the department shall conduct a comprehensive study of the human papilloma virus vaccines that are currently available and potential cost saving alternatives such as generics".

The amendment was *rejected*.

Ms. Walsh moved that the bill be amended, in section 2, in item 4513-1111, by striking "the maintenance of the ALS Registry created by section 26 of chapter 140 of the acts of 2003"; and by inserting after the word "2007" the following:— "and provided further that \$150,000 be expended for the maintenance of the ALS Registry created by section 26 of chapter 140 of the acts of 2003".

The amendment was *rejected*.

Ms. Walsh and Ms. Candaras moved that the bill be amended, in section 2, in item 4800-0038, by striking out the figure "\$348,850" and inserting in place thereof the following figure:— "\$498,850".

The amendment was **adopted**.

Messrs. Rosenberg and Brewer moved that the bill be amended, in section 2, in item 4800-0038, by inserting after the words "court diversion program" the following:— "provided further, that not less than \$140,000 shall be expended for the MSPCC Franklin County Supervised Visitation Program".

After remarks, The amendment was **adopted**.

Ms. Spilka and Mr. Barrios moved that the bill be amended, in section 2, in item 4110-3010, by striking out the figure "\$2,876,179" and inserting in place thereof the following figure:— "\$2,906,179".

The amendment was **adopted**.

Mr. Morrissey moved that the bill be amended, in section 2, in item 4512-0200, by inserting at the end thereof the following:— "provided further, that not less than \$100,000 shall be expended for the operation of Learn-to-Cope"; and in said item by striking out the figure "\$77,811,216" and inserting in place thereof the following figure:— "\$77,911,216".

The amendment was *rejected*.

Ms. Candaras and Messrs. Buoniconti and Knapik moved that the bill be amended, in section 2, in item 4512-0200, by inserting after the words "that not less than \$155,000 shall be expended for the maintenance and operation of the Intensive Outpatient Program at the South Boston Collaborative for the purposes of responding to adolescent suicide clusters and drug abuse in the South Boston section of the city of Boston" the following:— "provided further that \$150,000 be expended for the Hampden County Residential Program For Women".

The amendment was **adopted**.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 4590-1506, by striking out the item in its entirety.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 4570-1502, by striking out the item in its entirety.

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended in section 25 by inserting at the end thereof the following new section:—

“Section 40. The director of the of health safety net office shall issue a report not later than thirty days after \$100 million has been transferred from the Commonwealth Care Trust Fund to the Health Safety Net Trust Fund in any fiscal year and for each and every \$50 million transferred thereafter. Said report shall detail the reasons necessitating said transfer, including but not limited to the number of uninsured persons utilizing emergency and ambulatory surgical centers and at what cost to the Commonwealth, as well as what, if any, impact such transfers have on the commonwealth care health insurance program. Said report shall be submitted to the house and senate clerks, the house and senate committee’s on ways and means, the joint committee on health care financing.”

The amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 64, by striking out the figure “\$28,000,000” and inserting in place thereof the following figure:— “\$38,000,000”; and in section 2, in item 4580-1000, by striking out the figure “\$48,771,508” and inserting in place thereof the following figure:— “\$38,871,508”.

After debate, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section 85, the following two sections:—

“SECTION 86. The Health and Educational Facilities Authority Act, as enacted by Chapter 614 of the Massachusetts Acts of 1968, as heretofore amended, is hereby further amended by inserting the following after section 2-10(f) thereof:—

(g) Community Hospital Capital Reserve Fund.

(i) For the benefit of nonprofit community hospitals within the commonwealth licensed by the department of public health, the Authority may create and establish one or more special funds, herein individually referred to as a Community Hospital Capital Reserve Fund, and to the extent so created, shall pay into each such Community Hospital Capital Reserve Fund any monies appropriated and made available by the commonwealth for the purposes of such fund, any proceeds of sale of notes or bonds to the extent provided in the resolution, trust agreement, or indenture of the Authority authorizing issuance thereof, any other monies or funds of the Authority that the Authority determines to deposit in the fund and any other monies which may be available to the Authority only for the purpose of such fund from any other source or sources. All monies held in the Community Hospital Capital Reserve Fund, except as hereinafter provided, shall be used solely for the payment of principal of the bonds of the Authority which are secured by such Community Hospital Capital Reserve Fund as the same mature (which herein shall include becoming payable by sinking fund installment), the purchase of such bonds, the payment of interest on such bonds, or the payment of any redemption premium required to be paid when such bonds are redeemed prior to maturity; provided, however, that, monies in the Community Hospital Capital Reserve Fund shall not be withdrawn therefrom at any time in such amount as would reduce the amount of such Fund to less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on outstanding bonds which are secured by such Community Hospital Capital Reserve Fund, except for the purpose of paying the principal of and interest on such bonds maturing and becoming due or for the retirement of such bonds in accordance with the terms of any contract between the Authority and its bondholders and for the payment of which other monies pledged to secure such bonds are not available. Any income or interest earned by, or increment to, a Community Hospital Capital Reserve Fund due to the investment thereof shall be used by the Authority for the purposes of such Community Hospital Capital Reserve Fund.

(ii) The Authority shall not issue bonds which are secured by a Community Hospital Capital Reserve Fund at any time if the maximum amount of principal and interest maturing or becoming due in a succeeding calendar year on such bonds then to be issued and on all other outstanding bonds of the Authority which are secured by such Community Hospital Capital Reserve Fund will exceed the amount of such Community Hospital Capital Reserve Fund at the time of issuance unless the Authority, at the time of issuance of such bonds, shall deposit in such Fund from the proceeds of the bonds so to be issued, or otherwise, an amount which, together with the amount then in such Fund, will not be less than the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on such bonds then to be issued and on all other outstanding bonds of the Authority which are secured by such Community Hospital Capital Reserve Fund.

(iii) To assure the continued operation and solvency of the Authority for the carrying out of the public purposes of this act, provision is made in paragraph (i) for the accumulation in a Community Hospital Capital Reserve Fund of an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on all outstanding bonds which are secured by such Community Hospital Capital Reserve Fund. In order further to assure such maintenance of a Community Hospital Capital Reserve Fund there shall be annually appropriated and paid to the Authority for deposit in such Community Hospital Capital Reserve Fund such sum, if any, as shall be certified by the executive director of the Authority to the governor as necessary to restore such Community Hospital Capital Reserve Fund to an amount equal to the maximum amount of principal and interest maturing and becoming due in any succeeding calendar year on the outstanding bonds which are secured by such Community Hospital Capital Reserve Fund. The executive director of the Authority shall annually, on or before December first, make and deliver to the governor his certificate stating the amount, if any, required to restore a Community Hospital Capital Reserve Fund to the amount aforesaid and the amount so stated, if any, shall be appropriated and paid to the Authority during the then current fiscal year of the commonwealth. For the purposes of this subsection (g), in computing the amount of a Community

Hospital Capital Reserve Fund, securities in which all or a portion of such Fund are invested shall be valued at par, or if purchased at less than par, at their cost to the Authority, unless otherwise provided in the resolution, trust agreement or indenture authorizing the issuance of bonds secured by the Fund.

(iv) For the purposes of this subsection (g), the amount of any letter of credit, insurance contract, surety bond, or similar financial undertaking available to be drawn upon and applied to obligations to which money in the Community Hospital Capital Reserve Fund may be applied is deemed to be and shall be counted as money in said Fund. For the purposes of this subsection (g), in calculating the maximum amount of interest due in the future on variable rate bonds or bonds with respect to which the interest rate is not at the time of calculation determinable, the interest rate shall be calculated at the maximum interest rate on such bonds or such lesser interest rate as shall be certified by the Authority as an appropriate proxy for such variable or non-determinable interest rate.

(v) Bonds secured by the Community Hospital Capital Reserve Fund shall be issued by the Authority solely for the benefit of nonprofit community hospitals within the commonwealth licensed by the department of public health.”

SECTION 87. The Health and Educational Facilities Authority Act, as enacted by Chapter 614 of the Massachusetts Acts of 1968, as heretofore amended, is hereby further amended by deleting the last sentence of Section 2-12 thereof and inserting in its place the following:—

“Except as otherwise permitted pursuant to Section 2-10(g) of this act, the issuance of revenue bonds under the provision of this act shall not directly or indirectly or contingently obligate the commonwealth or any political subdivision thereof to levy or to pledge any form of taxation whatever therefore or to make any appropriation of their payment.”

After debate, the amendment was *rejected*.

Ms. Wilkerson and Mr. Barrios moved that the bill be amended, in section 2, in item 9110-1900, in line 2, by inserting after “senior farmshare program;” the following:— “ provided that not less than \$60,000 shall be provided to the LGBT Aging Project;”

The amendment was **adopted**.

Mr. Montigny, Ms. Spilka, Ms. Creem and Mr. Antonioni moved that the bill be amended, in section 2, in item 4513-1111, by striking out the words “stroke treatment and ongoing prevention” and inserting in place thereof:— “a statewide STOP stroke program”; and by striking out the words “hepatitis C” and inserting in place thereof:— “the Hepatitis C program”; and by striking out the words “multiple sclerosis” and inserting in place thereof:— “multiple sclerosis screening, information, education, treatment programs and the Multiple Sclerosis Home Living Navigating Key Services program administered by the Central New England Chapter of the National Multiple Sclerosis Society”.

After remarks, The amendment was **adopted**.

Messrs. Montigny, McGee, Moore, Tarr, Tisei and Brown moved that the bill be amended, in section 2, in item 9110-1455, by striking the following language:— “; provided further, that there shall be an open enrollment period, lasting not less than 1 month and not more than 2 months, that begin not later than November 15, 2007; provided, that the open enrollment shall be preceded by at least 30 days of advance public notice and marketing; provided further, that during the open enrollment period, individuals shall be enrolled in the program in the order in which the program receives their completed application”; and in item 9110-1455, by inserting, at the end, the following:— “; and provided further, that the department shall allow those who meet the program eligibility criteria to enroll in the program at any time during the year.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at three o’clock P.M., on motion of Mr. Montigny, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 37**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrisey, Michael W.
O’Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.

Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38.**

NAYS — 0..

The yeas and nays having been completed at three minutes past three o'clock P.M., The amendment was **adopted.**

Ms. Jehlen and Ms. Spilka moved that the bill be amended, in section 2, in item 4125-0100, by striking out the figure "\$5,669,885" and inserting in place thereof the following figure:— "\$6,019,885".
The amendment was *rejected*.

Messrs. Moore and Brewer, Ms. Chandler and Ms. Jehlen moved that the bill be amended by inserting, after section ____, the following section:—

"SECTION ____. (1) Under the draft regulations released by the Department of Homeland on March 1, 2007, the General Court opposes the implementation of the REAL ID Act of 2005, passed as part of Public Law 109-13. The General Court finds that, under said draft regulations, the REAL ID Act is inimical to the security and well-being of the people of Massachusetts, will cause unneeded expense and inconvenience to those people, and was adopted by the U.S. congress in violation of the principles of federalism contained in the 10th amendment to the U.S. constitution.

(2) Notwithstanding any other general or special law, absent the receipt of federal funding sufficient to implement the REAL ID Act and final rules that provide a reasonable implementation schedule and meaningful protections for the privacy of individuals the Commonwealth of Massachusetts shall not participate in the implementation of the REAL ID Act of 2005."

After debate, the amendment was *rejected*.

Mr. Montigny moved that the bill be amended by inserting after section 31 the following section:—

"SECTION 31A. Chapter 167 of the General Laws is hereby amended by adding the following section:—

Section 41A. No lending institution shall provide, directly or indirectly, anything of value to any institution of higher education in exchange for any advantage or consideration related to a lending institution's higher education loan activity including, but not limited to, placement on any institution of higher education's preferred lender list, revenue sharing with an institution of higher education, providing an institution of higher education with anything or any service at below-market prices, or providing services to an institution of higher education or to such institution's students. Any violation of this section shall constitute an unfair or deceptive practice under chapter 93A."; by inserting after section 33 the following section:—

"SECTION 33A. Chapter 268A of the General Laws is hereby amended by inserting after section 23A the following section:—

Section 23B. No institution of higher education including, but not limited to, any public or private university, college or community college, shall solicit, accept or receive anything of value from a lending institution in exchange for any advantage or consideration related to educational loan activities including, but not limited to, placement on such institution's preferred lender list. Revenue sharing between an institution of higher education and any lender is hereby prohibited. Any violation of the provisions of this section shall be an unfair or deceptive practice under Chapter 93A. Any institution of higher education that is engaged in any conduct prohibited by this section as of the effective date of this act shall cease such activity and report such activity to the attorney general, the inspector general and to the board of higher education. The attorney general and the inspector general may review such conduct in order to determine whether further action is necessary to enforce the provisions of this section." ; and by inserting after section 74 the following section:—

"SECTION 74A. The board of higher education shall review the relationships between institutions of higher education and lending institutions and develop a code of conduct for institutions of higher education, consistent with section 41 of chapter 167 of the General Laws and section 23B of chapter 268A of the General Laws, in order to prevent the appearance of impropriety or a conflict of interest. Such code shall include, but not be limited to:

prohibiting institutions of higher learning from soliciting, accepting or receiving gifts from lenders, in exchange for any advantage or consideration provided such lenders related to their educational loan activities;

prohibiting institutions of higher learning from engaging in the practice of revenue sharing;

prohibiting institutions of higher learning employees from soliciting, accepting or receiving gifts from lenders;

prohibiting institutions of higher learning employees from receiving remuneration for serving as members or participants of lenders' advisory boards, or receiving any reimbursement of expenses for so serving;

requiring institutions of higher learning to disclose to borrowers and prospective borrowers all available financing options under federal law;

prohibiting institutions of higher learning from entering into quid pro quo high risk loans that prejudice other borrowers or potential borrowers; and

prohibiting institutions of higher learning from linking or otherwise directing potential borrowers to any electronic master promissory notes or other loans agreements that do not allow students to enter the lender code or name for any lender offering the

relevant loan;

requiring institutions of higher learning that use 'preferred lender' lists comply with certain standards, including:

- (1) the disclosure of the criteria used in compiling the preferred lender list;
- (2) advising students that they have the right and ability to select the lender of their choice regardless of the preferred lender list, and will suffer no penalty for choosing a lender that is not on the list;
- (3) basing preferred lender lists solely on the best interests of the students and parents who may use the list without regard to the financial interests of the college or university;
- (4) reviewing at least annually the constitution of the preferred lender list;
- (5) no lender shall be placed on a preferred lender list unless the lender provides assurance to those who take out loans that the advertised benefits upon repayment will continue to inure to the benefit of borrowers regardless of whether the loans are sold;
- (6) no lender may appear on a preferred lender list if the lender has an agreement to sell its loans to another lender without disclosing this fact; and
- (7) no lender shall be placed on a preferred lender list or in favored placement on a list for a particular type of loan, in exchange for benefits provided to the college or university or its students in connection with a different type of loan.

The findings by the board shall be reported to the joint committee on higher education not later than January 1st, 2008 and to the attorney general and the inspector general if any conflict, or the appearance of any conflict, is discovered during the course of such review."

The question on adoption of the amendment was determined by a call of the yeas and the nays at twenty minutes past three o'clock P.M., on motion of Mr. Montigny, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 38**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38**.

NAYS — 0..

The yeas and nays having been completed at twenty-three minutes past three o'clock P.M., The amendment was **adopted**.

Mr. Creedon moved that the bill be amended, in section 2, in item 0330-3337, by striking out the figure "\$19,007,323" and inserting in place thereof the following figure:— "\$20,457,323".

The amendment was **adopted**.

Messrs. Creedon, Baddour, McGee, Morrissey and Augustus, Ms. Creem and Ms. Candaras moved that the bill be amended, in section 2, in item 0321-2000, by striking out the figure "\$753,248" and inserting in place thereof the following figure:— "\$773,248".

The amendment was **adopted**.

Mr. Creedon moved that the bill be amended by inserting after section ____, the following new section:—

"SECTION ____. Notwithstanding paragraph (a) of subsection (xxiii) of section 9 of chapter 211B of the General Laws, or any

other general or special law to the contrary, the chief justice for administration and management may, from the effective date of this act through April 30, 2008, transfer funds from any item of appropriation within 1 of the 7 departments of the trial court to any other item of appropriation of the 7 departments. These transfers shall be made in accordance with schedules submitted to the house and senate committees on ways and means. The schedule shall include the following: (1) the amount of money transferred from 1 item of appropriation to another; (2) the reason for the necessity of the transfer; and (3) the date on which the transfer is to be completed. No transfer under this section shall occur until 10 days after the revised funding schedules have been submitted in written form to the house and senate committees on ways and means.”

The amendment was **adopted**.

Messrs. Creedon and Downing moved that the bill be amended, in section 2, by striking out item 0340-2100 and inserting in place thereof the following item:

“0340-2100 For the operation of the Massachusetts District Attorneys’ Association, including the implementation and related expenses of the district attorneys’ office automation and case management and tracking system; provided that expenses associated with the system may be charged directly to this item; provided further, that the 11 district attorneys of the commonwealth may contribute a portion of their fiscal year 2008 appropriation to the Massachusetts District Attorneys’ Association in order to alleviate the cost of the case management and tracking system as well as the cost of data lines associated with the district attorney’s computer network; provided further, that each district attorney shall submit a report to the Massachusetts District Attorneys’ Association and the house and senate committees on ways and means delineating all funds expended for the purpose of implementing the case management and tracking system not later than January 30, 2008; provided further, that the report shall include, but not be limited to, an analysis of the total cost of the district attorneys’ computer network, the total cost incurred by each district attorney’s office, a detailed list of all hardware and software leased, owned or operated by each district attorney, a plan for any purchases to be made in the remainder of fiscal year 2008 and a detailed summary of any policies implemented to contain the costs of the network by either the Massachusetts District Attorneys’ Association or the individual district attorneys’ offices; provided further, that no expenditures shall be made, on or after the effective date of this act which would cause the commonwealth’s obligation for the purpose of this item to exceed the amount appropriated in this item; and provided further, that the association shall submit a report to the house and senate committees on ways and means not later than January 31, 2008 detailing, by district attorney office, all sources of revenue, including, but not limited to, federal and state grants that were received in fiscal year 2007, and the amount of each source of revenue 1,785,056”.

After remarks, The amendment was **adopted**.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section 85, the following new section:—

“SECTION 86. Notwithstanding any special or general law to the contrary, the state treasurer shall furnish by electronic means a check stub or pay slip to every person who receives compensation from the Commonwealth and whose compensation is provided to them by direct deposit, unless such person does not have an electronic mail address provided by and maintained by the Commonwealth. The treasurer shall continue to provide paper checks stubs and pay slips to all such persons who receive a paper check from the Commonwealth and to those who do not have an electronic mail address provided by and maintained by the Commonwealth. Any person who does not wish to receive their check stub or pay slip electronically may request to continue to receive a paper copy of their check stub or pay slip so long as they provide written notice to the treasurer.”

The amendment was *rejected*.

Messrs. Augustus and Moore and Ms. Chandler moved that the bill be amended, in section 2, in item 0540-2100, by striking out the figure “\$2,703,416” and inserting in place thereof the following figure:— “\$2,743,416”.

The amendment was **adopted**.

Ms. Resor, Ms. Spilka, Messrs. Brewer, Rosenberg, Knapik and Timilty moved that the bill be amended, in section 2, by inserting after item 2800-0700 the following item:

“2800-2000 The department of conservation and recreation may expend for the state licensed foresters program an amount not to exceed \$600,000 from revenues collected from the sale of timber for materials, supplies, equipment and compensation of employees of the program; provided, that all expenditures from this item shall be subject to Chapter 29 of the General Laws and recorded in the Massachusetts management accounting and reporting system 600,000”.

After remarks, The amendment was **adopted**.

Mr. Hedlund moved that the bill be amended, in section 2, in item 2030-1000, by inserting, after the words “Fall River;” the following:— “provided further that the department shall provide police patrols on Thursday, Friday and Saturday nights during peak camping season in Wompatuck State Park in the towns of Hingham, Norwell and Cohasset;”.

After remarks, The amendment was **adopted**.

Mr. Baddour, Ms. Wilkerson, Messrs. Augustus, Barrios and Montigny, Ms. Candaras, Ms. Creem, Messrs. McGee, Knapik and Montigny, Ms. Tucker, Ms. Walsh, Messrs. Antonioni, Brown and Joyce moved that the bill be amended, in section 2, in item 7035-0002, by striking out the figure “\$28,101,348” and inserting in place thereof the following figure:— “\$30,101,348”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-four

minutes before four o'clock P.M., on motion of Mr. Panagiotakos, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 39**]:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne — 38.

NAYS — 0..

The yeas and nays having been completed at twenty minutes before four o'clock P.M., The amendment was **adopted**.

Mr. Baddour moved that the bill be amended by inserting, after section 28, the following new section:—
“SECTION 28A. Notwithstanding Section 12 or 17 of Chapter 138 of the General Laws or any other general or special law to the contrary, a holder of a seasonal liquor license that currently holds a year-round beer/wine license may apply to convert the 2 licenses into a single, full-season liquor license for the sale of all alcoholic beverages to be drunk on the premises to the Commonwealth of Massachusetts Alcoholic Beverages Control Commission within 90 days of the enactment of this act.”
The amendment was **adopted**.

Ms. Creem moved that the bill be amended, in section 2, in item 7007-0900, by inserting after the words “glass blowing industry in Massachusetts” the following:— “provided further that not less than \$30,000 shall be expended for the landmark Ohabei Shalom Chapel Building in East Boston; provided further, that not less than \$25,000 shall be expended for the Edson Westlawn Cemetery; ” and by striking out the figure “\$17,346,265” and replacing it with the following figure:— “\$17,401,265”.
The amendment was **adopted**.

Mr. Tarr moved that the bill be amended, in section 2, in item 7007-0900, by adding at the end thereof the following:—
“provided further, that not less than \$150,000 shall be expended on a pilot program conducted by Babson College to identify ways to improve the nanotechnology ecosystem through collaborative alliances among firms in the North Shore region”.
The amendment was *rejected*.

Ms. Wilkerson, Messrs. Barrios and Brown, Ms. Fargo, Messrs. Joyce, McGee and Morrissey, Ms. Spilka, Mr. Timilty, Ms. Creem, Ms. Fargo and Messrs. Havern and Hedlund moved that the bill be amended, in section 2, in item 7010-0012, by striking out the figure “\$19,615,313” and inserting in place thereof the following figure:— “\$20,615,313”.
The amendment was **adopted**.

Messrs. Brewer, Augustus, Antonioni, Rosenberg, Moore, Brown, O'Leary, Downing, McGee, Joyce, Knapik, Tarr and Timilty, Ms. Tucker, Ms. Candaras, Mr. Hedlund, Ms. Fargo and Ms. Chandler moved that the bill be amended, in section 2, in item 7061-0011, by striking out the figure “\$3,500,000” and inserting in place thereof the following figure:— “\$5,500,000”.
Pending the question on adoption of the amendment, Mr. Joyce moved that the amendment (Brewer at al) be amended by inserting after the words “greater than 80 per cent of their foundation budgets” the following:— “; provided further that not less

than \$250,000 shall be expended for the Foreign Language in the Elementary Schools program in the Milton Public Schools". The further amendment was *rejected*.

After remarks, the question on adoption of the pending amendment (Brewer, at al) was determined by a call of the yeas and the nays at sixteen minutes before four o'clock P.M., on motion of Mr. Brewer, as follows, to wit (*yeas 37 — nays 0*) [**Yeas and Nays No. 40**]:

YEAS.

Antonioni, Robert A.	McGee, Thomas M.
Augustus, Edward M., Jr.	Menard, Joan M.
Baddour, Steven A.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne — 37.
Knapik, Michael R.	

NAYS — 0..

ABSENT OR NOT VOTING.

Barrios, Jarrett T. — 1.

The yeas and nays having been completed at ten minutes before four o'clock P.M., The amendment was **adopted**.

Messrs. Brewer, Antonioni, Moore, Rosenberg, O'Leary, Joyce, Downing, Knapik, Tarr and Timilty, Ms. Chandler, Ms. Resor, Ms. Spilka and Mr. Brown moved that the bill be amended, in section 2, in item 7035-0006, by striking out the figure "\$57,300,000" and inserting in place thereof the following figure:— "\$58,300,000".

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at eight minutes before four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 41**]:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O'Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.

Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — 38.

NAYS — 0..

The yeas and nays having been completed at four minutes before four o'clock P.M., The amendment was **adopted**.

Mr. Havern moved that the bill be amended by inserting at the end thereof the following sections:—

“SECTION ___. Section 61 of chapter 10 of the General Laws, as appearing in the 2004 Official Edition, is hereby amended by striking out, in lines 4 and 5, the words ‘from that portion of the fee owed to’ and inserting in place thereof the following word:— by.

SECTION ___. Section 61 of chapter 10, as so appearing, is hereby further amended by striking out, in line 14, the figure ‘2009’ and inserting in place thereof the following figure:— 2012.

SECTION ___. Section 142M of chapter 111 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘exhaust’, in line 17, the following words:— , or a device which analyzes a motor vehicle’s computer system relating to emissions.

SECTION ___. Section 142M of chapter 111, as so appearing, is hereby further amended by striking out, in lines 19 and 20, the words ‘including, but not’ and inserting in place thereof the following words:— which may include, but not be.

SECTION ___. Section 142M of chapter 111, as so appearing, is hereby further amended by striking out, in line 134, the word ‘shall’ and inserting in place thereof the following word:— may.

SECTION ___. Section 142M of chapter 111, as so appearing, is hereby further amended by striking out, in line 174, the words ‘a private entity’ and inserting in place thereof the following words:— 1 or more private entities.

SECTION ___. Section 142M of chapter 111, as so appearing, is hereby further amended by striking out, in line 229, the words ‘and (iv)’ and inserting in place thereof the following words:— (iv) any motor vehicle that United States Environmental Protection Agency or California Air Resources Board new vehicle certification requirements do not require to be equipped with an onboard diagnostic system, as determined by the commissioner; and (v).”

The amendment was *rejected*.

Ms. Spilka moved that the bill be amended by inserting, after section ___, the following new section:—

“SECTION ___. Notwithstanding any general or special law to the contrary, there shall be a special commission to study the at-grade train crossings along the Worcester-Framingham-Boston rail line between Worcester and Framingham and to recommend a plan for the mitigation of any negative impacts on adjacent communities from increases in train traffic along that rail line. The commission shall examine the rail and roadway traffic patterns at each intersection along the Worcester-Framingham-Boston rail line between Worcester and Framingham where train tracks and public roadways intersect without grade separation. The study shall include but not be limited to the evaluation of 1) the economic impact on the communities immediately surrounding the intersection and adjacent communities impacted by the traffic patterns and interruptions at the intersections; 2) the impact on the flow of traffic and related traffic congestion caused by the intersection crossing; and 3) the impact on public safety and particularly the availability of public safety assets to the community on either side of the intersection. The commission shall also consider the feasibility of: the commonwealth’s purchase of the train tracks on said rail line; the adjustment of freight schedules; and moving consolidated freight operations outside of densely populated areas.

The commission’s report shall recommend mitigation of the negative impact of any increased train travel along the Worcester-Framingham section of the rail line. The plan for mitigation may include, but is not limited to: grade separation and capital improvements to the at-grade crossings in Framingham & Ashland; capital investments and new traffic patterns to address the need for continuity in service for police, fire and hospitals where access is impaired by train crossings at the intersections; ways to maintain growth in economic development in downtown Framingham and Ashland; mitigation of the increased noise and other environmental impacts; easing of traffic congestion around the train-roadway intersections in Ashland and Framingham.

The governor, the speaker of the house of representative and the president of the senate shall each appoint members to the commission. The members shall include the house and senate chairs of the joint committee on transportation, two other members of the house, one to be nominated by the leader of the minority party, and two other members of the Senate, one to be nominated by the leader of the minority party; the secretary of transportation and public works; the secretary of public safety, the general manager of the Massachusetts Bay Transit Authority (MBTA); and the chairman of the board of selectmen, mayor, or city manager of each municipality with an at-grade train crossing between Worcester and Framingham. Each appointed member may select a designee to represent them on the commission.

The commission shall be chaired by the secretary of transportation and public works. The executive office of transportation and

public works shall provide the necessary staff to the commission.

The commission shall file a report on its findings with the joint committee on transportation and the house and senate committees on ways and means on February 1, 2008. The secretary of transportation and public works shall notify said committees of any delay in the work of the commission whenever it can be determined that appropriate progress is not being made and in any case shall file an interim report no later than October 1, 2007.

The Massachusetts Bay Transit Authority (MBTA) shall not increase the number of commuter trips on the Worcester-Framingham-Boston rail line before February 1, 2008 or until the date on which the report is complete, whichever occurs earlier. If the report is not complete by February 1, 2008, then 30 days prior to increasing the number of scheduled commuter train round-trips, the MBTA shall notify the house and senate committees on ways and means and the joint committee on transportation of the proposed schedule additions, and the secretary shall provide notice to said committees of the expected completion date of the commission's report."

After remarks, The amendment was **adopted**.

Messrs. Berry and Moore moved that the bill be amended by inserting, after section XX, the following new section:—

"SECTION XX. Notwithstanding and special or general law to the contrary, the executive office of health and human services shall investigate and study the feasibility of providing Medicaid reimbursement for all urine drug tests performed for patients enrolled in an inpatient or outpatient department of public health licensed substance abuse program. The study shall consider the projected cost or savings, efficiency, and quality of care related to Medicaid reimbursement for urine testing, as well as the eligibility of federal matching funds for said services. The study shall also study the cost and implications of allowing Medicaid to reimburse for the cost of urine testing without an order from a primary care physician or other practitioner. Results of the study shall be filed with the joint committee on health care financing and the house and senate committee on ways and means by October 1, 2007."

After remarks, The amendment was **adopted**.

Ms. Menard, Ms. Tucker and Messrs. Montigny and Baddour moved that the bill be amended by inserting, after section 85, the following new section:—

"Section XX. Notwithstanding any general or special law to the contrary, the secretary of health and human services shall submit a report on the reimbursement methodology to be used in hospital fiscal year 2008 for health services from the Health Safety Net Trust Fund as determined by the Health Safety Net Office pursuant to section 39 of Chapter 118G. The report shall detail all modifications made to the payment systems in effect for acute hospitals used by the United States Department of Health and Human Services Centers for Medicare & Medicaid Services to administer the Medicare Program under Title XVIII of the Social Security Act, including any adjustments to account for (a) the differences between the program administered by the office and the Title XVIII Medicare program, including the services and benefits covered, (b) grouper and DRG relative weights for purposes of calculating the payment rates to reimburse acute hospitals at rates no less than the rates they are reimbursed by Medicare, (c) the extent and duration of covered services, (d) the populations served, and (e) any other adjustments based upon circumstances of individual hospitals. The report shall also detail what, if any, adjustments were made under (d) for disproportionate share hospitals, as defined in section 1 of chapter 118G, or for a free-standing pediatric hospital with a disproportionately low volume of Title XVIII payments. The secretary shall submit the report to the joint committee on health care financing and the house and senate committees on ways and means no later than August 1, 2007."

After remarks, The amendment was **adopted**.

Mr. McGee and Ms. Creem moved that the bill amended, in section 2, in item 9110-1660, by inserting after the words "Town of Framingham;" the following:—"that \$125,000 shall be expended to fund the aging-in-place pilot project operated by the Jewish Family Service of the North Shore in the Town of Lynn"; and in said item at the end thereof striking out the figure "\$1,956,873" and inserting in place thereof the following figure:—" \$2,081,873".

The amendment was *rejected*.

Ms. Spilka, Ms. Tucker, Ms. Creem, Ms. Resor, Ms. Wilkerson, Ms. Chandler, Ms. Jehlen, Ms. Candaras and Messrs. Moore, McGee, Havern, Augustus and Downing, Ms. Fargo and Messrs. Baddour, Timilty, Brown, Tarr, Joyce and Montigny moved that the bill be amended, in section 2, in item 1599-6901, by striking out the words "shall not exceed \$20,000,000" and inserting in place thereof the following words:—"shall not exceed \$23,000,000"; and in said item, by striking out the figure "\$20,000,000" and inserting in place thereof the following figure:—" \$23,000,000".

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at five minutes past four o'clock P.M., on motion of Ms. Spilka, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 42**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.

Knapiak, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.

Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Moore, Richard T.
Morrissey, Michael W.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38.**

NAYS — 0..

The yeas and nays having been completed at eight minutes past four o'clock P.M., The amendment was **adopted.**

Messrs. O'Leary, Tolman and Moore, Ms. Wilkerson, Mr. McGee, Ms. Fargo, Ms. Chandler, Messrs. Joyce and Hart, Ms. Creem, Messrs. Montigny, Barrios, Augustus, Tarr and Antonioni moved that the bill be amended, in section 2, in item 4512-0500, by inserting at the end thereof the following:— “; provided further, that not less than \$750,000 shall be expended for the Forsyth Institute's Center for Children's Oral Health to fund a school-based demonstration project to offer preventative oral health care to children in high need areas including Boston, Lynn, and the Cape and Islands”; and in said item, by striking out the figure “\$1,868,150” and inserting in place thereof the following figure:— “\$2,618,150”.
After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at nineteen minutes past four o'clock P.M., on motion of Mr. O'Leary, as follows, to wit (*yeas 38 — nays 0*) [**Yeas and Nays No. 43**]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38.**

NAYS — 0..

The yeas and nays having been completed at twenty-two minutes past four o'clock P.M., The amendment was **adopted**.

Mr. Pacheco moved that the bill be amended by inserting, after section ____, the following new section:—

“SECTION ____. (a) There is hereby established a task force which make an investigation and comprehensive study of chronic kidney disease and its complications and how it affects the citizens of the Commonwealth. The Chronic Kidney Disease Task Force shall be comprised of 14 members, 1 of whom shall be the Secretary of the Executive Office of Health and Human Services, or his designee, who shall serve as chair; 1 of whom shall be the Commissioner of the Department of Public Health, or his designee; and the following 12 members who shall be appointed as follows: (i) The Speaker and Senate President each shall appoint 3 physicians licensed to practice medicine in the Commonwealth, all of which shall have specialties in the area of chronic kidney disease; (ii) The Speaker shall appoint 2 members who represent the state affiliate of the National Kidney Foundation, 1 of whom shall be an advocate on dialysis or a transplant recipient and 1 whom shall represent the Department of Nephrology at the University of Massachusetts Medical Center; (iii) The Senate President shall appoint 1 member who shall represent a health care services plan provider and 1 member who shall represent the Massachusetts Association of Health Plans; (iv) The Governor shall appoint 1 member who shall represent owners and operators of clinical laboratories in the Commonwealth and 1 member who shall represent the Massachusetts Hospital Association.

(b) The duties of the Chronic Kidney Disease Task Force shall include, but not be limited to: developing a plan to educate health care professionals about the advantages and methods of early screening, diagnosis and treatment of chronic kidney disease and its complications based on the K/DOQI Clinical Practice Guidelines for Chronic Kidney Disease or other medically recognized clinical practice guidelines; developing a plan to educate health care professionals about the advantages of End Stage Renal Disease (ESRD) modality education; and making recommendations on the implementation of a cost-effective plan for early screening, diagnosis and treatment of chronic kidney disease for the Commonwealth's population.

(c) The Chronic Kidney Disease Task Force shall submit a report to the House and Senate Chairs of the joint committee on public health, the joint committee on health care financing and the house and senate committees on ways and means no later than June 30, 2008.”

The amendment was **adopted**.

Mr. Barrios, Ms. Chandler, Messrs. Timilty and Knapik, Ms. Spilka and Mr. Augustus moved that the bill be amended, in section 2, in item 4000-0112, by inserting after the phrase “commitment of matching funds from the organization;” the following:— “provided further, that not less than \$125,000 shall be expended for the Greater Worcester YMCA youth programs; provided further, that not less than \$25,000 shall be expended for the YMCA of Greater Lynn; provided further, that not less than \$50,000 shall be expended for the Oak Square YMCA that will service teens from ages 13 to 17; provided further, that not less than \$50,000 shall be expended to the Chelsea YMCA”; and in said item, by striking out the figure “\$4,695,000” and inserting in place thereof the following figure:— “\$4,945,000”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-five minutes past four o'clock P.M., on motion of Mr. Knapik, as follows, to wit (yeas 38 — nays 0) [Yeas and Nays No. 44]:

YEAS.

Antonioni, Robert A.
Augustus, Edward M., Jr.
Baddour, Steven A.
Barrios, Jarrett T.
Berry, Frederick E.
Brewer, Stephen M.
Brown, Scott P.
Buoniconti, Stephen J.
Candaras, Gale D.
Chandler, Harriette L.
Creedon, Robert S., Jr.
Creem, Cynthia Stone
Downing, Benjamin B.
Fargo, Susan C.
Hart, John A., Jr.
Havern, Robert A.
Hedlund, Robert L.
Jehlen, Patricia D.
Joyce, Brian A.

Knapik, Michael R.
McGee, Thomas M.
Menard, Joan M.
Montigny, Mark C.
Moore, Richard T.
Morrissey, Michael W.
O'Leary, Robert A.
Pacheco, Marc R.
Panagiotakos, Steven C.
Resor, Pamela
Rosenberg, Stanley C.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, James E.
Tisei, Richard R.
Tolman, Steven A.
Tucker, Susan C.
Walsh, Marian
Wilkerson, Dianne — **38**.

NAYS — 0..

The yeas and nays having been completed at twenty-nine minutes past four o'clock P.M., The amendment was **adopted**.

Ms. Wilkerson moved that the bill be amended, in section 2, in item 1410-0250, by inserting after the word "Gardner" the following:— "provided further, that not less than \$100,350 shall be obligated for a contract with Veterans Benefits Clearinghouse located in Dorchester; provided further, that not less than \$73,350 shall be obligated for a contract with the Veterans Benefits Clearinghouse located in Roxbury".

After remarks, The amendment was **adopted**.

Messrs. Augustus, Joyce, Morrissey, McGee, Creedon, Hedlund and Timilty, Ms. Candaras, Ms. Fargo and Mr. Montigny moved that the bill be amended, in section 2, in item 5920-2000, by striking out the figure "\$547,157,631" and inserting in place thereof the following figure:— "\$549,157,631".

The amendment was *rejected*.

Messrs. Montigny, Tarr and Timilty moved that the bill be amended by inserting, after section ____, the following new section:— "SECTION ____. Subsection (1) of Section 58A of chapter 276 of the General Laws is hereby amended by inserting after the words 'ninety-four C,' in line 17, the following:— or any violation of paragraphs (a), (c) or (h) of section 10 of Chapter 269, or. Subsection (3) of said section 58A of said chapter 276, as so appearing, is hereby further amended by inserting after the first sentence the following sentence:— 'Subject to rebuttal by the person, in a case involving any felony offense that has as an element the use, attempted use, or threatened use of physical force against the person of another and involves the use of a firearm, it shall be presumed that no condition or combination of conditions will reasonably assure the safety of any other person or the community if the judicial officer finds that there is probable cause to believe the at the person committed the offense.' Subsection (3) of said section 58A of said chapter 276 is hereby further amended in the second sentence after the word 'exceeding' by striking out the word 'ninety' and inserting in place thereof the words 'one hundred twenty'."

The amendment was **adopted**.

Ms. Fargo and Mr. Moore moved that the bill be amended, in section 2, in item 4513-1000, in line 2, by inserting after the words "personnel-related costs;" the following:— "and provided further, than not less than \$350,000 be expended for the operations of the Regional Poison Control Center;"; and in said item, by striking out the figure "\$6,396,716" and inserting in place thereof the following figure:— "\$6,746,716".

The amendment was **adopted**.

Messrs. Hedlund and Tarr moved that the bill be amended, in section 2, in item 7007-0900, by inserting, after the words "Cape Cod Junior Technology Council;" the following:— "provided further, that not less than \$50,000 shall be expended to the Hull Lifesaving Museum for the purpose of planning the Massachusetts Maritime Trail"; and in said item, by striking out the figure "\$17,346,265" and inserting in place thereof the following figure:— "\$17,396,265".

The amendment was **adopted**.

Mr. Hart moved that the bill be amended, in section 2, in item 2800-0500, by adding at the end thereof the following:— "provided further, that not less than \$1,000,000 shall be expended for personnel for the Metropolitan Beaches, as recommended by the report Beaches We Can Be Proud Of, a report prepared for the Metro-politan Beaches Commission"; and by striking out the figure "\$2,835,000" and inserting in place thereof the following figure:— \$3,835,000".

The amendment was **adopted**.

Mr. Brown moved that the bill be amended, in section 2, in item 7007-0900, by adding at the end thereof the following:— "provided further, that not less than \$50,000 shall be expended to continue and expand the triage counseling services in the Needham Public Schools"; and in said item by striking out the figure "\$17,346,265" and inserting in place thereof the following figure:— "\$17,396,265".

The amendment was **adopted**.

Mr. Hart moved that the bill be amended, in section 2, in item 7007-0900, by adding at the end thereof the following:— "provided further, that not less than \$250,000 shall be expended for the Free Shakespeare Company, a program of The Citi Performing Arts Center, for production support for performances offered for free to the public and for the purpose of preparing for a pilot program to expand performances to Springfield and other cities".

The amendment was **adopted**.

Mr. Rosenberg moved that the bill be amended, in section 2, by inserting after item 8910-1111, the following item: "8910-XXXX The Hampshire County Sheriff may expend for the operation of the Hampshire county regional lockup at the Hampshire county jail an amount not to exceed \$900,000 in revenue; provided that, the sheriff shall enter into agreements to provide detention services to various law enforcement agencies and municipalities and shall determine and collect fees for said detentions from said law enforcement agencies and

municipalities 900,000”.

The amendment was **adopted**.

Ms. Resor moved that the bill be amended, in section 2, in item 7007-0900, by adding at the end thereof the following:— “; provided that not less than \$50,000 be expended for “Marlborough 2010”; and in said item, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:— “\$17,396,265”.

The amendment was **adopted**.

Messrs. Tisei, Knapik, Hedlund and Brown moved that the bill be amended by inserting, after section 85, the following new section:—

“SECTION 86. Notwithstanding any special or general law to the contrary, no funds shall be appropriated for, nor shall any funds be expended for, the planning, design or construction of any projects for the expansion of rail service beyond those projects currently funded for and under construction as of January 1, 2007 until January 1, 2016.”

After debate, the amendment was *rejected*.

Messrs. Tisei, Tarr, Knapik, Hedlund and Brown moved that the bill be amended, in section 2, in item 6000-0100, by striking out the figure “\$4,989,990” and inserting in place thereof the following figure:— “\$15,382,749”; and by inserting after section 85 the following new section:—

“SECTION 86. There is hereby established a special commission to study and develop recommendations for the fiscal feasibility to reduce debt and debt financing relative to operations and maintenance of the Massachusetts turnpike. Said commission shall review all options for the long-term financing of operations and maintenance of the turnpike, including but not limited to the leasing or concessioning of the turnpike for a term not to exceed 50 years. Membership of said commission shall consist of the secretary for administration and finance or designee, who shall also serve as chair, the secretary of transportation or designee, the chairman of the Massachusetts turnpike authority, the comptroller or designee, the auditor or designee, the senate president or designee, the speaker of the house of representatives or designee, the house minority leader or designee, the senate minority leader or designee, the chairs of the house and senate committees on ways and means or designees, the and the chairs of the joint committee on transportation. The commission shall convene its first meeting by July 15, 2007, and file a report, with any legislative or regulatory recommendations, with the clerks of the senate and the house of representatives and the joint committee on transportation on or before November 15, 2007.”

The amendment was *rejected*.

Mr. Pacheco moved that the bill be amended, in section 2, in item 4513-1111, by striking out the words “renal disease” and inserting in place thereof:— “a renal disease program administered by the National Kidney Foundation of Massachusetts, Rhode Island and Vermont;”.

The amendment was **adopted**.

Mr. Panagiotakos moved to amend the bill, in section 2, in item 0320-0010, by striking out the figure “\$1,188,510” and inserting in place thereof the following figure:— “\$1,208,522”;

In item 0511-0270 by striking out the figure “\$800,000” and inserting in place thereof the following figure:— “\$600,000”;

By inserting after item 1100-1100 the following item:

“1100-2010 For the purposes of establishing an administrative records list in accordance with section ___ of this act 200,000”;

In item 1108-5200, by striking out the words “provided further, that prior year costs incurred by self-insured plans shall be funded from this item” and inserting in place thereof the following words:— “provided further, that funds may be expended from this item for the Commonwealth’s share of group insurance premium and plan costs provided to the employees and retirees in prior fiscal years”;

In item 2000-0100, by striking out the figure “\$6,677,069” and inserting in place thereof the following figure:— “\$7,200,741”;

In item 2511-0100, by striking out the figure “\$4,692,183” and inserting in place thereof the following figure:— “\$4,942,183”;

In item 2800-0100, by striking out the figure “\$5,451,481” and inserting in place thereof the following figure:— “\$6,004,212”;

In item 2800-0500, by striking out the figure “\$2,835,000” and inserting in place thereof the following figure:— “\$3,885,000”;

In item 2820-0100, by striking out the figure “\$26,463,582” and inserting in place thereof the following figure:— “\$26,788,582”;

In item 4000-0112, by inserting after the word “foundation” the following words:— “provided further, that not less than \$100,000 shall be expended for Children’s Friend and Family Services of Salem; provided further, that not less than \$50,000 shall be expended for a community fitness and nutrition program for youth in the town of Watertown operated by Boston Boxing and Fitness, Inc.”;

In said item 4000-0112, by striking out the figure “\$4,695,000” and inserting in place thereof the following figure:— “\$5,480,000”;

By inserting, after item 4000-0352, the following new item:

“4000-0355 For the operation of a health care quality and cost council established pursuant to section 3 of chapter 58 of the acts of 2006 to promote high-quality, cost-effective patient-centered care 1,000,000”;

In item 4000-0700, by striking out the figure “20” and replacing with the following:— “21”;

By striking out item 4100-2008;

In item 4401-1100, by striking out the words “The department of transitional assistance may expend not more than \$7,000,000 from revenue received from the United States Department of Agriculture for food stamp outreach and employment and training programs and any enhanced funding or bonuses; provided, that the department may expend such revenue for employment and training services provided to recipients of transitional aid to families with dependent children”; and inserting in place thereof the following words:— “The department of transitional assistance may expend an amount not to exceed \$7,000,000 from federal bonuses and from reimbursements received from the United States Department of Agriculture for food stamp employment and training programs as provided in section 2A of chapter 18 of the General Laws; provided, that up to \$5,000,000 of revenue received for services provided by or under contract with state agencies or from bonuses shall be expended on additional services for recipients of transitional aid to families with dependent children; and provided further, that up to \$2,000,000 shall be expended for additional services provided by non-state agencies as identified in subsection (e) of said section 2A”;

In item 4406-3000, by striking out the figure “\$35,730,136” and inserting in place thereof the following figure:— “\$35,939,936”;

In said item 4512-0200, by striking out the figure “\$77,911,216” and inserting in place thereof the following figure:— “\$77,811,216”;

In said item 4513-1000, by striking out the figure “\$6,396,716” and inserting in place thereof the following figure:— “\$7,206,716”;

In item 4800-0038, by striking out the figure “\$51,554,725” and inserting in place thereof the following figure:— “\$52,094,725”;

In item 4800-1400, by striking out the figure “\$69,919,542” and inserting in place thereof the following figure:— “\$70,466,542”;

In item 7003-0701, by striking out “and provided further, that the director shall demonstrate that each dollar expended generates not less than \$5 in private investment in job training” and inserting in place thereof the following words:— “and provided further, that, in accordance with section 2RR of chapter 29 of the General Laws, the director shall demonstrate that each dollar expended generates not less than \$5 in private investment in job training”;

In item 7003-0702, by string out the figure “\$7,723,000” and inserting in place thereof the following figure:— “\$8,103,000”;

In item 7004-0099, by inserting at the end thereof the following words:— “provided further, that \$100,000 shall be expended for ABCD North End elderly program; provided further, that not less than \$50,000 shall be expended for the Center for Sustainability to assist in its mission; provided further, that not less than \$50,000 shall be expended for the Lowell Wish Project”;

In said item 7004-0099, by striking out the figure “\$8,520,831” and inserting in place thereof the following figure:— “\$9,020,831”;

In item 7007-0900, by inserting at the end thereof the following words:— “provided further, that not less than \$75,000 shall be expended for the Captain Gerald F. DeConto program in Sandwich; provided further, that not less than \$15,000 shall be provided to the Cape Cod Cranberry Growers for the production of a Cranberry Harvest Map”;

In said item 7007-0900, by striking out the figure “\$17,346,265” and inserting in place thereof the following figure:— “\$20,443,265”;

In item 7035-0002, by striking out the figure “\$28,101,348” and inserting in place thereof the following figure:— “\$30,301,348”;

In item 7061-0012, by striking out the words “further, that in order to facilitate such monitoring, the department may allocate funds from this item to item 7061-0029, as necessary, pursuant to allocation plans submitted to the house and senate committees on ways and means 30 days prior to any transfer”;

In item 7061-9404, by striking out the figure “\$11,604,139” and inserting in place thereof the following figure:— “\$12,199,139”;

In item 7066-0000, by striking out the figure “\$2,875,766” and inserting in place thereof the following figure:— “\$3,475,766”;

In item 8910-0000, by striking out the figure “\$185,948,998” and inserting in place thereof the following figure:— “\$187,808,488”;

In item 8910-0102, by striking out the figure “\$66,202,260” and inserting in place thereof the following figure:— “\$66,864,283”;

In item 8910-0105, by striking out the figure “\$43,753,795” and inserting in place thereof the following figure:— “\$44,191,333”;

In item 8910-0107, by striking out the figure “\$62,965,667” and inserting in place thereof the following figure:— “\$63,595,324”;

In item 8910-0108, by striking out the figure “\$8,352,332” and inserting in place thereof the following figure:— “\$8,435,855”;

In item 8910-0110, by striking out the figure “\$12,100,351” and inserting in place thereof the following figure:— “\$12,221,355”;

In item 8910-0145, by striking out the figure “\$14,993,973” and inserting in place thereof the following figure:— “\$15,143,913”;

In item 8910-0619, by striking out the figure “\$43,369,034” and inserting in place thereof the following figure:— “\$43,802,724”;

In item 9110-1900, by striking out the figure “\$5,935,303” and inserting in place thereof, in each instance, the following figure:— “\$6,295,303”;

In section 2D, by inserting the following item:
“4512-9069 For the purposes of a federally funded grant entitled, Substance Abuse Prevention and Treatment Block Grant 33,912,526”;

In said section 2D, by inserting the following item:
“8700-0006 For the purposes of a federally funded grant entitled, Military Construction Costs in Methuen 23,069,877”;

In said section 2D, in item 8700-0143, by striking out the words “For the purposes of a federally funded grant” and inserting in place thereof the following words:— “For the purposes of an expendable trust.”;

By striking out sections 5, 20, 36, 42 and 79;

In section 9, by striking out subsection (g) and inserting in place thereof the following:—
“(g) The board of trustees shall, every 3 years, undertake a review of the eligibility requirements in subsection (e) as well as the workforce needs of the Commonwealth and determine which occupations could benefit from an award such as this, and which occupations, if any, no longer require this program. The board may amend the eligibility requirements and expand or contract the program in accordance with the changing workforce needs of the Commonwealth.”;

By inserting after section 38 the following 4 sections:—

“SECTION 38A. Section 1 of Chapter 2 of the Resolves of 2006 is hereby amended by inserting in the first sentence after the phrase ‘the secretary of veterans’ services or his designee,’ the following:— the lieutenant governor or his designee, the secretary of administration and finance or her designee, the commissioner of the department of corrections or his or her designee, the secretary of health and human services or her designee, and the secretary of housing and economic development or his designee..

SECTION 38B. Section 1 of Chapter 2 is hereby amended by deleting in the first sentence the phrase: ‘and each member of the interagency council on homelessness and housing, established by Executive Order number 454 dated November 30, 2003’.

SECTION 38C. Section 2 of Chapter 2 is hereby further amended by striking in the first sentence the words ‘June 30, 2007,’ and inserting in place thereof the words, ‘November 30, 2007’.

SECTION 38D. Section 4 of Chapter 2 is hereby further amended by inserting after the words ‘who shall forward the same to’ the words ‘the governor,’ and by striking in the first sentence the words ‘June 30, 2007,’ and inserting in place thereof the words ‘November 30, 2007’.”

In section 48, by striking out the figure “16” and inserting in place thereof the following figure:— “12”;

In section 63, by adding the following words:— “The office of the inspector general may also continue to expend funds appropriated in chapter 240 of the acts of 2004 from the Uncompensated Care Trust Fund, or any successor fund, for the costs associated with a study and review of the Massachusetts Medicaid program, in conjunction with the state auditor, for the purpose of identifying areas where a prospective program may be put into place to help reign in costs with no reduction in care being delivered. The state auditor and the inspector general shall report their findings and recommendations to the secretary of health and human services, the joint committee on health care financing, and the house and senate ways and means committees on or before April 1, 2008.”

In said section 63 by inserting after the words “Uncompensated Care Trust Fund” the following words:— “or any successor fund”;

In section 72, by striking out the words “June 30, 2007” and inserting in place thereof the following words:— “October 1, 2007”;

By striking section 82 and inserting in place thereof the following section:—

“SECTION 82. Sections 12, 22 and 25 shall take effect on October 1, 2007.”; and by inserting after section 77 the following new section:—

“SECTION 77A. Notwithstanding any general or special law to the contrary, amounts expended from the Natural Heritage and Endangered Species Fund, established by section 35D of chapter 10 of the General Laws, shall be exempt from indirect cost charges pursuant to Chapter 29 of the General Laws.”

The amendment was **adopted**.

After remarks, the question on adoption of the Ways and Means amendment, as amended, was determined by a call of the yeas and nays at six minutes past six o’clock P.M., on motion of Mr. Panagiotakos, as follows, to wit (yeas 38 — nays 0) [Yeas and Nays No. 45]:

YEAS.

Antonioni, Robert A.	Knapik, Michael R.
Augustus, Edward M., Jr.	McGee, Thomas M.
Baddour, Steven A.	Menard, Joan M.
Barrios, Jarrett T.	Montigny, Mark C.
Berry, Frederick E.	Moore, Richard T.
Brewer, Stephen M.	Morrissey, Michael W.
Brown, Scott P.	O’Leary, Robert A.
Buoniconti, Stephen J.	Pacheco, Marc R.
Candaras, Gale D.	Panagiotakos, Steven C.
Chandler, Harriette L.	Resor, Pamela
Creedon, Robert S., Jr.	Rosenberg, Stanley C.
Creem, Cynthia Stone	Spilka, Karen E.
Downing, Benjamin B.	Tarr, Bruce E.
Fargo, Susan C.	Timilty, James E.
Hart, John A., Jr.	Tisei, Richard R.
Havern, Robert A.	Tolman, Steven A.
Hedlund, Robert L.	Tucker, Susan C.
Jehlen, Patricia D.	Walsh, Marian
Joyce, Brian A.	Wilkerson, Dianne — 38.

NAYS — 0..

**The yeas and nays having been completed at eight minutes past six o'clock P.M., the Ways and Means amendment was adopted, as amended. [For text of Senate amendments, see Senate, No. 2250, printed as amended.] The bill, as amended, was then ordered to a third reading, read a third time and was passed to engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment**

Order Adopted.

On motion of Mr. Panagiotakos,—

Ordered. That when the Senate adjourns today, it adjourn to meet again on Tuesday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Adjournment in Memory of First Lieutenant Andrew John Bacevich of Walpole.

The Senator from Bristol and Norfolk, Mr. Timilty, the Senator from Middlesex and Essex, Mr. Tisei, the Senator from Essex and Middlesex, Mr. Tarr, the Senator from Hampden and Hampshire, Mr. Knapik, the Senator from Plymouth and Norfolk, Mr. Hedlund and the Senator from Norfolk, Bristol and Middlesex, Mr Brown, presented a request that when the Senate adjourns today, it do so in memory of First Lieutenant Andrew John Bacevich of Walpole who was killed in action in Balad, Iraq on May 13, 2007 from wounds suffered when an improvised explosive device was detonated near his unit during combat patrol operations.

Lieutenant Bacevich, a 2003 graduate of Boston University, served in the Massachusetts Senate from January 2003 until April 2004 in the office of former Senator Jo Ann Sprague. He then went on to work in the Romney Administration before enlisting in the army.

Lieutenant Bacevich was a dedicated member of this body who gave his life in service to this Country and this Commonwealth. His pleasant demeanor, sense of humor, inviting smile and ability to inspire others will always be in the memory of his family, friends and colleagues.

First Lieutenant Bacevich is survived by his parents Andrew and Nancy and his three sisters Jennifer, Amy and Kathleen.

Accordingly, as a mark of respect to the memory First Lieutenant Andrew John Bacevich of Walpole, at ten minutes past six o'clock P.M., on motion of Mr. Hart, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.