NOTICE: *While reasonable efforts have been made to assure the accuracy of the data herein, this is* ***NOT*** *the official version of Senate Journal. It is published to provide information in a timely manner, but has* ***NOT*** *been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.*

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.

JOURNAL OF THE SENATE..

Wednesday, May 21, 2014.

Met at one minute past ten o'clock A.M.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. DiDomenico for the purpose of an introduction. Mr. DiDomenico then introduced, in the rear of the Chamber and in the Gallery, members of the Everett High School marching band, color guard, choir and string orchestra. The students were welcomed with applause, performed for the Senate and withdrew from the Chamber.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Humason for the purpose of an introduction. Mr. Humason then introduced, in the rear of the Chamber, members of the Holyoke Soldiers Home. Among the group were Superintendent Paul Barabani, Director of Outreach Communications and Intergovernmental Relations John Paradis and Director of Finance Anthony DiStefano. The Senate welcomed them with applause and they withdrew from the Chamber.

Communications.

The following communications were severally received and placed on file, to wit:

Communication from the Honorable Patricia D. Jehlen, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Tuesday, May 20, 2013 at twenty-five minutes past eleven o'clock A.M); and Communication from the Massachusetts College of Art submitting a copy of the college's eighth annual performance report (received May 12, 2014).

Order.

Mr. Keenan presented an Order relative to granting the committee on Public Health until May 20, 2014, within which time to make its final report on current Senate document numbered 1031 relative to medical marijuana (Senate, No. 2152);-- **was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.**

Reports of Committees.

By Mr. Welch, for the committee on Health Care Financing, on Senate, Nos. 22, 23, 24, 43, 57, 289, 290, 292, 293, 294, 302, 307, 349, 499, 500, 501, 505, 506, 507, 509, 510, 512, 513, 514, 515, 516, 518, 519, 520, 521, 522, 523, 524, 525, 526, 529, 531, 532, 533, 535, 536, 538, 541, 543, 544, 545, 546, 547, 548, 549, 551, 552, 553, 555, 558, 560, 561, 562, 563, 564, 567, 568, 569, 570, 571, 572, 903, 918, 986, 988, 998, 1020 and 1959, an Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing issues (Senate,

No. 2148); and
By Mr. Downing, for the committee on Telecommunications, Utilities and Energy, on Senate, Nos. 1564, 1566, 1571, 1577, 1579, 1582, 1590, 1591, 1592, 1599, 1600, 1601, 1604, 1613, 1617, 1618, 1619 and 1620, an Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study of certain current Senate documents relative to telecommunications, utilities and energy issues (Senate, No. 2151) (Representative DiNatale of Fitchburg dissenting);
Severally, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.

Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Bill relative to the creation of a vulnerable road user safety commission (Senate, No. 1649),-- **and recommending that the same be referred to the committee on Ethics and Rules.**
Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE.

A joint petition (accompanied by bill, House, No. 4095) of Paul J. Donato and Patricia D. Jehlen (with the approval of the mayor and city council) that the city of Medford be authorized to extend the authority of the traffic commission to include public off-street parking areas,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

A Bill relative to the Pathfinder Regional Vocational-Technical High School District (House, No. 3941,— on petition),— **was read and, under Senate Rule 26, referred to the committee on Ethics and Rules.**

Report of the committee on Health Care Financing asking to be discharged from further consideration
Of the House Bill ensuring equal access to services for all residents of the Commonwealth (House, No. 147);
Of the House Bill relative to impartial medical examiners (House, No. 1697);
Of the House Bill to promote responsible contracting on state construction projects (House, No. 2792); and
Of the House Bill for healthy families and businesses (House, No. 3997);
And recommending that the same severally be referred to the House committee on Ways and Means;
Were severally considered forthwith, under Senate Rule 36, and accepted, in concurrence, in so much as relates to the discharge of the joint committee.

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Rosenberg) “congratulating Hopkins Academy in the town of Hadley on its three hundred and fiftieth anniversary”.

Orders of the Day.

The Orders of the Day were considered as follows:

The House Bill making appropriations for the fiscal year 2015 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.**
At eighteen minutes past ten o’clock A.M., Mr. Tarr doubted the presence of a quorum; and, a count of the Senate determined that a quorum was present.

Messrs. Rodrigues and Michael O. Moore moves that the proposed new text be amended by inserting after section 122, the following section:-
“SECTION 122A. (a) 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 shall be waived without the need for any showing by the taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to: (i) timely file any proper return for any tax type and for any tax period; (ii) file proper returns which report the full amount of the taxpayer's liability for any tax type and for any tax period; (iii) timely pay any tax liability; or (iv) pay the proper amount of any required estimated payment toward a tax liability. The waiver of a taxpayer’s liability under this section shall apply if the taxpayer files returns, makes payments as required by the commissioner or otherwise comes into compliance with the tax laws of the commonwealth pursuant to the tax amnesty program. The scope of the program, including the particular tax types and periods covered, including any limited look-back period for unfiled returns, shall be determined by the commissioner; provided, however, the commissioner shall include, but not be limited to, the following tax types within the scope: sales and use taxes, sales tax on telecommunications services, meals taxes, meals tax local options, materialman sales taxes, withholding income, performer withholdings, pass-through entity withholdings, lottery annuity withholdings, room occupancy excises, room occupancy excise local options, convention center financing fees on room occupancy in the cities of Boston, Cambridge, Chicopee, Springfield and Worcester and the city known as the town of West Springfield, convention center financing surcharges for sightseeing tours, convention center financing surcharges on vehicle rentals in the city of Boston, convention center financing surcharges on

parking in the cities of Boston, Springfield and Worcester, deeds excises, cigarette excises, cigars and smoking tobacco excises, club alcoholic beverages excises, gasoline excises, special fuels excises, special fuels excise local options and boat and recreational vehicles sales taxes.
(b) The amnesty program shall be established for 2 consecutive months in fiscal year 2015 to be determined by the commissioner and all required payments shall be made on or before June 30, 2015 in order for the amnesty to apply. If a taxpayer fails to pay the full liability before June 30, 2015, the commissioner shall retain any payments made and shall apply those payments against the outstanding liability and the tax amnesty program shall not apply.
(c) (1) The commissioner's authority to waive penalties during the amnesty period shall not apply to any taxpayer who, before or during the period of the amnesty program selected by the commissioner, was or is the subject of a tax-related criminal investigation or prosecution or to any taxpayer who delivers or discloses, or has delivered or disclosed, any false or fraudulent application, document, return or other statement. The amnesty program shall not authorize the waiver of interest or any amount treated as interest. The commissioner may offer tax amnesty to those taxpayers who have either an unpaid self-assessed liability or who have been assessed a tax liability, whether before or after the filing of a return, which assessed liability remains unpaid.
(2) A taxpayer who delivers or discloses any false or fraudulent application, document, return or other statement to the department of revenue in connection with an amnesty application under this section shall be ineligible for amnesty and shall be subject to the greater of: (i) applicable penalties under chapter 62C of the General Laws; or (ii) a penalty not to exceed $10,000 which shall be calculated and assessed according to rules determined by the commissioner and which may be subject to de minimis or other exceptions that the commissioner may consider appropriate. This penalty shall be subject to said chapter 62C and shall be added to and become part of the tax due.
(d) To the extent that a taxpayer within the scope of the amnesty program as determined by the commissioner and 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) of said section 32 of said chapter 62C 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.
(e) Amnesty 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.
(f) The commissioner shall maintain records of the amnesty provided under this section including, but not limited to: (i) the number of taxpayers provided with amnesty; (ii) the types of tax liability for which amnesty was provided and, for each type of liability, the amount of tax liability collected and the amount of penalties foregone by virtue of the amnesty program; and (iii) the total outstanding tax liability for amnesty-eligible taxpayers at the conclusion of the tax amnesty program after the collection 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 joint committee on revenue, the house and senate committees on ways and means, and the house and senate minority leaders not later than September 1, 2015; provided, however, that such report shall not contain information sufficient to identify an individual taxpayer or the amnesty that an individual taxpayer was provided under this section.
(g) The commissioner shall establish administrative procedures and methods to prevent any taxpayer who utilizes the tax amnesty program from utilizing any future tax amnesty programs for the next consecutive 10 years, beginning in calendar year 2015."

Pending the question on adoption of the amendment (Rodrigues-Michael O. Moore), Mr. Tarr moved that the pending amendment be amended by striking the first paragraph and inserting in place thereof the following paragraph:
"SECTION 122A. (a) 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 shall be waived without the need for any showing by the taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to: (i) timely file any proper return for any tax type and for any tax period; (ii) file proper returns which report the full amount of the taxpayer's liability for any tax type and for any tax period; (iii) timely pay any tax liability; or (iv) pay the proper amount of any required estimated payment toward a tax liability. The waiver of a taxpayer's liability under this section shall apply if the taxpayer files returns, makes payments as required by the commissioner or otherwise comes into compliance with the tax laws of the commonwealth pursuant to the tax amnesty program. The scope of the program, including the particular tax types and periods covered, including any limited look-back period for unfiled returns, shall be determined by the commissioner; provided, however, the commissioner shall include, but not be limited to, the following tax types within the scope: sales and use taxes, sales tax on telecommunications services, meals taxes, meals tax local options, materialman sales taxes, withholding income, performer withholdings, pass-through entity withholdings, lottery annuity withholdings, room occupancy excises, room occupancy excise local options, convention center financing fees on room occupancy in the cities of Boston, Cambridge, Chicopee, Springfield and Worcester and the city known as the town of West Springfield, convention center financing surcharges for sightseeing tours, convention center financing surcharges on vehicle rentals in the city of Boston, convention center financing surcharges on parking in the cities of Boston, Springfield and Worcester, deeds excises, cigarette excises, cigars and smoking tobacco excises, club alcoholic beverages excises, corporate excises, gasoline excises, special fuels excises, special fuels excise local options and boat and recreational vehicles sales taxes."

After debate, the question on adoption of the further amendment (Tarr) was determined by a call of the yeas and nays, at six minutes before eleven o'clock A.M., on motion of Mr. Tarr, as follows, to wit *(yeas 4 — nays 36)* **[Yeas and Nays No. 304]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. – **4.**

NAYS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.

Keenan, John F.	Wolf, Daniel A. − **36.**

The yeas and nays having been completed at three minutes before eleven o'clock A.M., the amendment was *rejected*.

The question on adoption of the pending amendment (Rodrigues-Michael O. Moore) was determined by a call of the yeas and nays, at two minutes before eleven o'clock A.M., on motion of Mr. Rodrigues, as follows, to wit *(yeas 40 — nays 0)* **[Yeas and Nays No. 305]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.

Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. − **40.**

N**AYS − 0.**

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

Mr. Rodrigues moved that the proposed new text be amended by inserting the text of Senate document numbered 2198, relative to DOR technical.
After remarks, the amendment was **adopted.**

Ms. Creem, Mr. Barrett, Ms. Candaras, Messrs. DiDomenico, Donnelly, Eldridge and Finegold, Ms. Forry, Messrs. Hedlund and Humason, Ms. Jehlen, Messrs. Keenan and Lewis, Ms. Lovely, Mr. Michael O. Moore, Ms. O'Connor Ives, Messrs. Rodrigues, Ross and Rush, Ms. Spilka, Messrs. Welch, Wolf and Brownsberger, Ms. Donoghue and Messrs. Joyce, Tarr, Downing, Kennedy, McGee and Montigny moved that the proposed new text be amended by striking out section 115 and inserting in place thereof the following section:
"SECTION 115. (a) Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund under section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2014 in the following order to the extent that funds are available: (i) transfer $25,000,000 to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws; (ii); transfer $10,000,000 to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws; and (iii) transfer $7,000,000 to the Social Innovation Financing Trust Fund established in section 35VV of chapter 10 of the General Laws. (b) All transfers pursuant to this section shall be made from the undesignated fund balances in the budgetary funds proportionally from the undesignated fund balances; provided, however, that no such transfers shall cause a deficit in any of the funds."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes past eleven o'clock A.M., on motion of Ms. Creem, as follows, to wit *(yeas 39 — nays 0)* **[Yeas and Nays No. 306]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.

Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. − **39.**
Keenan, John F.	

NAYS − 0.

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

Messrs. Rush, Tarr, Pacheco, Keenan and DiDomenico, Ms. O'Connor Ives and Messrs. Joyce, McGee and Montigny moved that the proposed new text be amended by inserting after section __, the following new section:-
“SECTION __. Clause forty-third of section 7 of chapter 4 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the definition 'Active service in the armed forces' the following definition:- 'Gold Star', the status of any member of the armed forces, reserve component of the armed forces or National Guard who was deceased due to an injury, illness or disease, not due to gross negligence or misconduct of the member, which was incurred or aggravated while serving on military duty; provided, however, that for the purpose of determining Gold Star status, the term 'military duty' shall mean full-time duty in the active military service of the United States, regardless of duration or purpose; provided, further, that active military service shall include full-time training duty, annual training duty and attendance, while in the active military service, at a school designated as a service school by law or by the Secretary of the Department of Defense; provided further, that 'military duty' shall also include full-time National Guard or reserve duty; provided further, that any member of the armed forces, reserve component of the armed forces or National Guard shall also be considered on military duty if that person is on inactive duty training, funeral honors duty, traveling directly to or from such active or inactive duty or training or while training before the commencement of military assignment or between successive periods of such active or inactive duty.”
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter past eleven o'clock A.M., on motion of Mr. Tarr, as follows, to wit *(yeas 39 — nays 0)* **[Yeas and Nays No. 307]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.

Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. **- 39.**
Keenan, John F.	

NAYS − 0.

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

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-

“SECTION__. (a) Notwithstanding any general or special law to the contrary, for the days of August 9, 2014 and August 10,

2014, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
(b) Notwithstanding any general or special law to the contrary, for the days of August 9, 2014 and August 10, 2014, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 9, 2014 and August 10, 2014. An excise erroneously or improperly collected during the days of August 9, 2014 and August 10, 2014, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
(c) Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 9, 2014 and August 10, 2014.
(d) On or before December 31, 2014, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.
(e) The commissioner of revenue shall issue instructions or forms or promulgate rules or regulations, necessary for the implementation of this act. (f) Eligible sales at retail of tangible personal property under sections 175 and 176 of chapter 64H are restricted to those transactions occurring on August 9, 2014 and August 10, 2014. Transfer of possession of or payment in full for the property shall occur on one of those days, and prior sales or layaway sales shall be ineligible."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at fourteen minutes before twelve o'clock noon, on motion of Mr. Tarr, as follows, to wit *(yeas 7 — nays 32)* **[Yeas and Nays No. 308]:**

YEAS.

Humason, Donald F., Jr.	Rush, Michael F.
Moore, Michael O.	Tarr, Bruce E.
Moore, Richard T.	Timilty, James E. **– 7.**
Ross, Richard J.	

NAYS.

Barrett, Michael J.	Jehlen, Patricia D.
Brewer, Stephen M.	Joyce, Brian A.
Brownsberger, William N.	Keenan, John F.
Candaras, Gale D.	Kennedy, Thomas P.
Chandler, Harriette L.	Lewis, Jason M.
Chang-Diaz, Sonia	Lovely, Joan B.

Creem, Cynthia Stone	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Welch, James T.
Hedlund, Robert L.	Wolf, Daniel A. – **32.**

The yeas and nays having been completed at eleven minutes before twelve eleven o'clock noon, the amendment was *rejected*.

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

Engrossed Bill.

An engrossed Bill relative to election laws (see House, No. 3788) (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 signed by the President and laid before the Governor for his approbation.

Orders of the Day.

The Orders of the Day were further considered as follows:
The House Bill making appropriations for the fiscal year 2015 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. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Section 12 of chapter 156C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:-
(d) The fee for the filing of the certificate of organization required by subsection (a) shall be one hundred twenty-five dollars. The fee for the filing of the annual report required by subsection (c) shall be one hundred twenty-five dollars. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes before twelve o'clock noon, on motion of Mr. Hedlund, as follows, to wit *(yeas 4 — nays 35)* **[Yeas and Nays No. 309]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.

Humason, Donald F., Jr.	Tarr, Bruce E. − **4.**

NAYS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. − **35.**
Keenan, John F.	

The yeas and nays having been completed at three minutes before twelve eleven o'clock noon, the amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__.
SECTION 39 of chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following paragraph: "A business corporation shall not be subject to the excise under subsection (b) provided said corporation is within its first three years of incorporation, or if it has paid an amount calculated under the provisions of subsection (a) for all of the previous three years; provided, that under no circumstances shall a business corporation which employs more than 25 full-time or full-time equivalent employees be eligible for the provisions of this section."
After remarks the amendment was *rejected*.

Messrs. Montigny and Eldridge, Ms. Jehlen, Ms. Chang-Diaz, Messrs. Michael O. Moore and Joyce moved that the proposed new text be amended by inserting after section____, the following section:-
"SECTION____. Chapter 175 of the General Laws is amended by inserting, after Section 19X, the following new section:- 19Y. The commissioner of insurance shall further promulgate regulations with the express purpose of increasing transparency. Such regulations shall include, but not be limited to, (i)For the purposes of a proxy or consent or authorization or solicitation or notice of an annual meeting in subsection (ii), a mutual company as defined in section 19G, shall provide a full and accurate disclosure of all compensation to the named executive officers or directors, whether paid or accrued and of all conflicts of interest, whether direct or indirect to its members; and (ii) requiring that, at least once every 3 years, a proxy or consent or authorization or solicitation or notice of an annual meeting, in a form of which the commissioner shall determine, of a mutual company shall include a separate resolution subject to a non-binding vote to approve or disapprove the compensation of the named executive officers or directors."
After debate, the amendment was *rejected*.

Recess.

There being no objection, at fourteen minutes past twelve o'clock noon, the President declared a recess subject to the call of the Chair; and, at thirteen minutes before one 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 2015 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. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION__. Notwithstanding any general or special law to the contrary, for the days of August 10, 2014 through August 14, 2014, inclusive, the tax imposed upon meals pursuant to chapter 64H of the General Laws, as appearing in the 2012 Official Edition, shall be suspended.
SECTION__. Notwithstanding any general or special law to the contrary, for the days of August 10, 2014 through August 14, 2014, inclusive, a restaurant in the commonwealth shall not add to the sales price or collect from a customer an excise upon sales of meals. The commissioner of revenue shall not require any restaurant to collect and pay excise upon sales of meals purchased on the days of August 10, 2014 through August 14, 2014, inclusive. An excise erroneously or improperly collected during the days of August 10, 2014 through August 14, 2014, inclusive, shall be remitted to the department of revenue.
The provisions of this section shall not be applicable to the local option meals excise tax under Section 1-6 of Chapter 64L of the General Laws, as appearing in the 2012 Official Edition, which shall remain in full force and effect on August 10-14, 2014."
At ten minutes before one o'clock, P.M., Mr. Tarr doubted the presence of a quorum. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.
Subsequently, at six minutes before one o'clock P.M., a quorum was declared present.
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross, Humason and Michael O. Moore moved that the proposed new text be amended by inserting after section 86, the following new section:-
"SECTION 86A. (a) There shall be a commission to study the feasibility of establishing a tax credit for medical device manufacturing companies that are adversely affected by increases in the medical device tax pursuant to section 1405 of the Patient Protection and Affordable Care Act, Public Law 111-148. In studying the feasibility of such a credit, the commission shall examine, factors including, but not limited to: (i) the potential cost to the commonwealth; (ii) the potential benefit derived by affected businesses; and (iii) the economic impact on the commonwealth of instituting such a credit. (b) The commission shall be comprised of the following 9 members: the commissioner of the department of revenue or a designee who shall serve as chair; the house and senate chairs of the joint committee on revenue; 1 member of the senate appointed by the senate minority leader; 1 member of the house of representatives appointed by the house minority leader; 1 representative of the Massachusetts Medical Society; 1 representative of the Medical Device Industry Council; 1 representative of the Associated Industries of Massachusetts; and 1 representative of the Massachusetts Biotechnology Council. (c) The commission shall hold its first meeting within 90 days

after the effective date of this section. The commission shall file a report detailing its work, findings and the feasibility of such a credit, including any legislative recommendations, with the clerks of the house of representatives and the senate on or before December 31, 2014."
After remarks, the amendment was **adopted.**

Messrs. Tarr, Hedlund, Humason and Michael O. Moore moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Chapter 64A of the General Laws, as most recently amended by chapter 46 of the acts of 2013, is hereby further amended by inserting, after section 7A, the following section:-
Section 7B. The sale of fuel to a city or town which having consumed the same for any municipal purpose shall be exempt from the excise established by this chapter."
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund and Humason moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION AA. Subsection (c) of section 3 of chapter 63B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first and second sentences and inserting in place thereof the following 3 sentences:- For purposes of this chapter, there shall be 4 required installments for each taxable year, except as otherwise provided by this chapter. The first installment shall be paid on or before the fifteenth day of the third month of the taxable year; the second installment shall be paid on or before the fifteenth day of the sixth month of the taxable year; the third installment shall be paid on or before the fifteenth day of the ninth month of the taxable year; and the fourth installment shall be paid on or before the fifteenth day of the twelfth month of the taxable year. The amount of any installment shall be 25 per cent of the required annual payment.
SECTION BB. Section 4A of said chapter 63B, as so appearing, is hereby amended by striking out, in line 4, the word 'sixty-five percent' and inserting in place thereof the following words:- 50 per cent.
SECTION CC. Said section 4A of said chapter 63B, as so appearing, is hereby further amended by striking out, in line 9, the word 'ten percent' and inserting in place thereof the following words:- 25 per cent.
SECTION DD. Said section 4A of said chapter 63B, as so appearing, is hereby further amended by striking out, in line 14, the word 'ninety percent' and inserting in place thereof the following words:- 25 per cent.
SECTION EE. Said section 4A of said chapter 63B, as so appearing, is hereby further amended by striking out, in lines 16 and 17, the word 'ten percent' and inserting in place thereof the following words:- 25 per cent.
SECTION FF. Section 4B of said chapter 63B, as so appearing, is hereby amended by striking out, in lines 7 and 8, the word 'thirty percent' and inserting in place thereof the following words:- 25 per cent.
SECTION GG. Said section 4B of said chapter 63B, as so appearing, is hereby further amended by striking out, in line 10, the word 'twenty-five percent' and inserting in place thereof the following words:- 25 per cent.
SECTION HH. Said section 4B of said chapter 63B , as so appearing, is hereby further amended by striking out, in line 13, the word 'twenty-five percent' and inserting in place thereof the following words:- 25 per cent.
SECTION II. Said section 4B of said chapter 63B, as so appearing, is hereby further amended by striking out, in lines 15 and 16, the word 'twenty percent' and inserting in place thereof the following words:- 25 per cent.
SECTION JJ. Notwithstanding any general or special law to the contrary, in order to accommodate the cash flow needs of the commonwealth resulting from the implementation of this Act, the comptroller shall, not later than June 30, 2015, transfer not more than $200,000,000 to the General Fund from the Commonwealth Stabilization Fund; provided, the commissioner of revenue shall, not later than December 31, 2015, report to the comptroller when a cumulative amount of corporate tax revenue equal to the transfer is collected by the commonwealth; provided further, the comptroller shall transfer said collected amount from the General Fund to the Commonwealth Stabilization Fund after December 31, 2015 but not later than January 31, 2016. The comptroller, in consultation with the secretary of administration and finance, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any transfer of funds. The comptroller shall provide a schedule of transfers to the secretary of administration and finance and to the house and senate committees on ways and means.
SECTION KK. Sections AA through II, inclusive, shall take effect beginning January 1, 2015."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. (a) Section 2 of Chapter 64H of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the figure '6.25 per cent' and replacing it with the following figure:- '5 per cent'.
(b) Section 2 of Chapter 64I of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the figure '6.25 per cent' and replacing it with the following figure:- '5 per cent'.'.
Mr. Hedlund moved that the pending amendment (Tarr, et al) be amended by striking out the text and inserting in place thereof the following:-
"SECTION __. Section 2 of chapter 64H of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.8 per cent', effective August 1, 2014.
SECTION__. Section 2 of said chapter 64H, as so appearing, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.4 per cent', effective August 1, 2015.
SECTION__. Section 2 of said chapter 64H, as so appearing, is hereby amended by striking the words '6.25 per cent' and

inserting in place thereof the words ‘5 per cent’, effective August 1, 2016.
SECTION __. Section 2 of Chapter 64I of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the words ‘6.25 per cent’ and inserting in place thereof the words ‘5.8 per cent’, effective August 1, 2014.
SECTION __. Section 2 of said chapter 64I, as so appearing, is hereby amended by striking the words ‘6.25 per cent’ and inserting in place thereof the words ‘5.4 per cent’, effective August 1, 2015.”
SECTION __. Section 2 of said chapter 64I, as so appearing, is hereby amended by striking the words ‘6.25 per cent’ and inserting in place thereof the words ‘5 per cent’, effective August 1, 2016.”
After remarks, the further amendment (Hedlund) was rejected.
The pending amendment (Tarr, et al) was then considered and it was rejected.
Messrs. Tarr and Humason moved that the proposed new text be amended by inserting, after section __ the following section:-
“SECTION__. Section 6 of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (r) the following new subsection:- (s) There shall be a credit for any employer based in Massachusetts who hires individuals who have been collecting unemployment benefits in Massachusetts for at least two weeks. The credit shall be $500 for each newly hired full time employee hired in the first three quarters of that fiscal year, not to exceed $25,000 per business in any calendar year. This section shall expire on July 1, 2019.”
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
“SECTION__. Section 6(i) of Chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking in line 257 the figure ‘$15,000’ and inserting in place thereof the following:– ‘$25,000’; by striking in line 260 the figure ‘$1,500’ and inserting in place thereof the following:– ‘$4,000’; and by striking in line 262 the figure '$6,000’ and inserting in place thereof the following:– $10,000.”
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended by inserting after section 81, the following 2 sections:-
“SECTION 81A. Section 63 of chapter 152 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘chapter’, in line 15, the following words:- ; provided, however, that if the reason for cancellation is for non-payment of premium, if the insured pays the amount of premium due on or before the effective date of cancellation, the assigned carrier shall issue an accurate renewal policy.
SECTION 81B. Section 65B of said chapter 152, as so appearing, is hereby amended by inserting after the word ‘same’, in line 7, following words:- ; and provided further, that if the reason for cancellation is for non-payment of premium, if the insurer receives the amount of premium due on or before the effective date of cancellation, the assigned carrier shall issue an accurate renewal policy.”
After remarks, the amendment was **adopted.**

Mr. Tarr, Ms. O'Connor Ives, Messrs. Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
“SECTION__. Chapter 70 of the General Laws is hereby amended by striking out section 4, as appearing in the 2012 Official Edition, and inserting in place thereof the following section:-
Section 4. There shall be a foundation budget review commission to review the way in which foundation budgets are calculated and to make recommendations to the general court regarding changes that may be appropriate. In conducting this review, the commission shall seek to determine the educational programs and services necessary to achieve the commonwealth's educational goals, including those necessary to fully implement state curriculum standards and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations. The review shall include, but not be limited to: class size; special education programs, including programs for English language learners; preschool programs for all 3 and 4 year-olds and full-day kindergarten; additional resources necessary to assure educational opportunity for low-income students; salaries necessary to attract and retain high quality professionals; health care costs; extracurricular programs; remedial programs for students at risk of failing to satisfy graduation requirements; books and other curriculum materials; equipment for science lab programs; and technology. In addition, the commission shall seek to determine how resources can be used in the most effective manner. In carrying out the review, the commission shall examine relevant data and any reports on education funding produced within the 10 years preceding the issuance of a commission report. The commission shall include the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the secretary of education, the commissioner of elementary and secondary education, the commissioner of early education and care, the speaker of the house of representatives or a designee, the president of the senate or a designee, the minority leader of the house of representatives or a designee, the minority leader of the senate or a designee, the governor or a designee, the chair of the house committee on ways and means or a designee, the chair of the senate committee on ways and means or a designee, a parent representative of parent-school organizations from four distinct regions of the Commonwealth, and1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, the Massachusetts Business Alliance for Education, the Massachusetts Business Roundtable, the Massachusetts Association of School Committees, the Massachusetts Association of School Superintendents, the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the Massachusetts Budget and Policy Center, the Massachusetts Parent Teacher Association, Stand for Children, Strategies for Children, the Massachusetts Association of Vocational Administrators, and the Massachusetts Association of Regional Schools. Members shall receive no compensation for

their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The department shall furnish reasonable staff and other support for the work of the commission. Before issuing its recommendations, the commission shall conduct at least 4 hearings to receive testimony from members of the public. The hearings shall be held in locations that provide opportunities for residents from all geographic regions of the commonwealth to testify.
It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial effect on the district employing that person or on the rate at which that person may be compensated.
The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated. The commission's recommendations, together with any proposed legislation, shall be filed every 4 years with the clerks of the senate and house of representatives who shall refer those recommendations to the appropriate committee of the general court. Within 30 days after that filing, the committee shall hold a public hearing on the recommendations.
(B) The foundation budget review commission established by section 4 of chapter 70 of the General Laws shall file its initial recommendations with the clerks of the senate and house of representatives under said section 4 of said chapter 70 not later than December 31, 2014; but the commission may issue an initial interim report before that date."
Pending the question on adoption of the pending amendment, Ms. Chang-Diaz, Messrs. Tarr and Lewis, Ms. Creem, Messrs. Michael O. Moore and Timilty, Ms. Candaras, Messrs. Wolf and Donnelly, Ms. Jehlen, Ms. Spilka, Messrs. Eldridge and Hedlund, Ms. O'Connor Ives, Messrs. Rush and DiDomenico, Ms. Donoghue, Messrs. Keenan, Pacheco, Brownsberger, Finegold, Richard T. Moore, Welch, Montigny, Downing and Barrett, Ms. Forry, Ms. Lovely and Messrs. McGee, Ross and Humason moved that the pending amendment (Tarr et al) be amended by striking out the text and inserting in place thereof the following:- by adding the following section:-
"SECTION XX. Chapter 70 of the General Laws is hereby amended by striking out section 4, as so appearing, and inserting in place thereof the following section:-
Section 4. Upon action of the General Court, there shall periodically be a foundation budget review commission to review the way in which foundation budgets are calculated and to make recommendations for potential changes in those calculations as the commission deems appropriate. In conducting such review, the commission shall seek to determine the educational programs and services necessary to achieve the commonwealth's educational goals and to prepare students to achieve passing scores on the Massachusetts Comprehensive Assessment System examinations. The review shall include, but not be limited to those components of the foundation budget created pursuant to section 2 of chapter 70 and subsequent changes made to the foundation budget in statute or within an appropriations act. In addition, the commission shall seek to determine and recommend measures to promote the adoption of ways in which resources can be most effectively utilized and consider various models of efficient and effective resource allocation. In carrying out the review, the commissioner of elementary and secondary education shall provide to the commission any data and information the commissioner deems relevant to the commission's charge.
The commission shall include the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the secretary of education, the commissioner of elementary and secondary education, the commissioner of early education and care, the speaker of the house of representatives or a designee, the president of the senate or a designee, the minority leader of the house of representatives or a designee, the minority leader of the senate or a designee, the governor or a designee, the chair of the house committee on ways and means or a designee, the chair of the senate committee on ways and means or a designee and 1 member to be appointed by each of the following organizations: the Massachusetts Municipal Association, the Massachusetts Business Alliance for Education, the Massachusetts Association of School Committees, the Massachusetts Association of School Superintendents, the Massachusetts Teachers Association, the American Federation of Teachers Massachusetts, the Massachusetts Association of Vocational Administrators, the Massachusetts Association of Regional Schools and the Massachusetts Association of School Business Officials. Members shall receive no compensation for their services but may receive reimbursement for the reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commissioner of elementary and secondary education shall furnish reasonable staff and other support for the work of the commission. Prior to issuing its recommendations, the commission shall conduct not fewer than 4 public hearings across regions of the commonwealth. It shall not constitute a violation of chapter 268A for a person employed by a school district to serve on the commission or to participate in commission deliberations that may have a financial impact on the district employing that person or on the rate at which that person may be compensated. The commission may establish procedures to ensure that no such person participates in commission deliberations that may directly affect the school districts employing those persons or that may directly affect the rate at which those persons are compensated.; and
By inserting, after section ____, the following section:-
SECTION XX. (a) The foundation budget review commission established in section ____ shall file its final report on or before June 30, 2015. A copy of said report and recommendations shall be made publicly available on the website of the department of elementary and secondary education and submitted to the joint committee on education.
(b) In addition to the membership listed in section 1 and for the purposes of this review, there shall be 1 advisory non-voting member of the foundation budget review commission from each the following organizations: the League of Women Voters of Massachusetts, the Massachusetts Budget and Policy Center, the Massachusetts Business Roundtable, the Massachusetts Parent Teacher Association, the Massachusetts Taxpayers Foundation, Stand for Children Massachusetts, and Strategies for Children. Advisory members shall be informed in advance of any public hearings or meetings scheduled by the commission and may be provided with written or electronic materials deemed appropriate by the commission's co-chairs. Prior to finalizing its

recommendations, the Foundation Budget Commission established in section 4 of chapter 70 of the General Laws shall solicit input from advisory members who may offer comments or further recommendations for the commission's consideration."
After remarks, the question on adoption of the further amendment (Chang-Diaz) was determined by a call of the yeas and nays, at ten minutes past one o'clock P.M., on motion of Ms. Chang-Diaz, as follows, to wit *(yeas 39 — nays 0)* **[Yeas and Nays No. 310]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.

Joyce, Brian A. Wolf, Daniel A. **- 39.**

Keenan, John F.

NAYS − 0.

The yeas and nays having been completed at thirteen minutes past one o'clock P.M., the further amendment (Chang-Diaz) was **adopted.**
The pending amendment (Tarr), as amended was then **adopted.**

Mr. Montigny moved that the proposed new text be amended by inserting after section___, the following new section:-
"SECTION ____.
SECTION 29J of said chapter 29, as appearing in the 2012 Official Edition, is hereby amended by adding the following sentence:- As used in this section, "state agency" includes an institution of public higher education or an association of the trustees of such institutions, and "state funds" includes all funds that state agencies and authorities are authorized to receive and expend by virtue of the powers granted to them under their enabling statutes, including trust funds under the control of such institutions."
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION ___. Section 43 of Chapter 46 of the Acts of 2013 is hereby repealed."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION ___. Section 1 of chapter 64A of the General Laws, as amended by Chapter 46 of the Acts of 2013, is hereby amended by striking out, in the definition of "tax per gallon" the following words:- adjusted at the beginning of each calendar year, by the percentage, if any, by which the Consumer Price Index for the preceding year exceeds the Consumer Price Index for the calendar year that ends before such preceding year; provided, that the Consumer Price Index for any calendar year shall be as defined in section 1 of the Internal Revenue Code pursuant to 26 U.S.C. section 1; and provided further, that the tax shall not be less than 21.5 cents per gallon."
Pending the question on adoption of the pending amendment (Tarr et al), Mr. Hedlund moved that the amendment be amended by striking out the text and inserting in place thereof the following:-
"SECTION ___. Section 1 of chapter 64A of the General Laws, as amended by Chapter 46 of the Acts of 2013, is hereby amended by striking out, in the definition of "tax per gallon" the following words:- adjusted at the beginning of each calendar year, by the percentage, if any, by which the Consumer Price Index for the preceding year exceeds the Consumer Price Index for the calendar year that ends before such preceding year; provided, that the Consumer Price Index for any calendar year shall be as defined in section 1 of the Internal Revenue Code pursuant to 26 U.S.C. section 1."
After debate, the question on adoption of the further amendment (Tarr, et al) was determined by a call of the yeas and nays, at five minutes before two o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 8 — nays 31)* **[Yeas and Nays No. 311]:**

YEAS.

Hedlund, Robert L. Pacheco, Marc R.

Humason, Donald F., Jr. Ross, Richard J.

Lovely, Joan B. Tarr, Bruce E.

O'Connor Ives, Kathleen Timilty, James E. − **8.**

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	Petruccelli, Anthony
Donoghue, Eileen M.	Rodrigues, Michael J.
Downing, Benjamin B.	Rosenberg, Stanley C.
Eldridge, James B.	Rush, Michael F.
Finegold, Barry R.	Spilka, Karen E.
Flanagan, Jennifer L.	Welch, James T.
Forry, Linda Dorcena	Wolf, Daniel A. − **31.**
Jehlen, Patricia D.	

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

The pending amendment (Hedlund) was then considered, and it was rejected.
Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following section:-
“SECTION__. Chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking Section 4(b) in its entirety and inserting in place thereof the following:-
Section 4(b) Part B taxable income shall be taxed at the rate of 5.3 per cent for tax years beginning on or after January 1, 2002; provided however that Part B taxable income shall be taxed at: - 5.2 per cent for the tax year beginning on January 1, 2015; - 5.1 per cent for the tax year beginning on January 1, 2016; and - 5.0 per cent for tax years beginning on or after January 1, 2017.”
Pending the question on adoption of the pending amendment (Tarr et al), Mr. Ross moved that the amendment be amended by striking the underlying amendment and inserting, the following section:-
“SECTION__. Chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking Section

4(b) in its entirety and inserting in place thereof the following:-
Section 4(b) Part B taxable income shall be taxed at the rate of 5.3 per cent for tax years beginning on or after January 1, 2002; provided however that Part B taxable income shall be taxed at: - 5.2 per cent for the tax year beginning on January 1, 2015; - 5.1 per cent for the tax year beginning on January 1, 2016; and - 5.0 per cent for tax years beginning on or after January 1, 2017.
SECTION__. The provisions of section __ will take effect on December 31, 2014."
The further amendment (Ross) was rejected.
After debate, the question on adoption of the pending amendment (Tarr, et al) was determined by a call of the yeas and nays, at four minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 34)* **[Yeas and Nays No. 312]:**

YEAS.

Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E. – **5.**
Ross, Richard J.	

NAYS.

Barrett, Michael J.	Keenan, John F.
Brewer, Stephen M.	Kennedy, Thomas P.
Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.

Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. − **34.**

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

Messrs. Hedlund, Tarr and Ross moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Chapter 65C of the General Laws, as appearing in the 2012 Official Edition, is hereby repealed."
The question on adoption of the amendment was determined by a call of the yeas and nays, at fourteen minutes past two o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 4 — nays 34)* **[Yeas and Nays No. 313]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. − **4.**

NAYS.

Brewer, Stephen M.	Kennedy, Thomas P.
Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.

Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. − **34.**

ABSENT OR NOT VOTING.

Barrett, Michael J. − **1.**

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

Messrs. Hedlund, Tarr, Ross, Keenan and Joyce moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Chapter 183 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 68 the following section:-
Section 69. No creditor, as defined in section 35B of chapter 244, shall require in a mortgage, note or otherwise, a purchaser or owner of residential property to purchase or pay for flood insurance on the property: (i) at a coverage amount that exceeds the outstanding mortgage thereon; (ii) that includes coverage for contents; or (iii) that includes a deductible less than $5,000. In each instance where a creditor requires in a mortgage, note, or otherwise, a purchaser or owner of a residential property to purchase or pay for flood insurance on said property, the creditor shall provide notice to the purchaser or owner of the residential property at the time the purchaser or owner of the residential property is notified of the need to purchase or pay for flood insurance that states the following in clear and conspicuous print: 'Please note that the flood insurance we are requiring you to purchase will only protect your creditor/lender's interest in your property. It may not be sufficient to pay for many needed repairs after a flood and may not compensate you for your losses in the property due to the flood. If you wish to protect your home or investment, you may wish to purchase more flood insurance than the amount we are requiring you to buy."
After remarks, the amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended by inserting after section _, the following new sections:-
"SECTION XX. Section 2 of chapter 118 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end of the first paragraph the following:-- Child support collections shall be paid to a recipient of benefits under this chapter to the extent that the federal government will waive or not have a claim to a federal share of such collections pursuant to 42 U.S.C. section 657. Any amounts paid to the family under this provision shall be disregarded in determining the amount of assistance provided to the family.
SECTION XX. Section 2 of chapter 119A of the General Laws, as so appearing, is hereby amended by inserting at the end of subsection (b) the following:- Pursuant to Title IV, Part D of the Social Security Act, in the case of former recipients of assistance, the IV-D agency shall pay to the family all support payments collected, including payments on arrears assigned to the state and payments collected through federal tax refund offset.
SECTION XX. Sections 1 and 2 shall take effect on July 1, 2015."
The amendment was *rejected*.

Ms. Creem and Mr. Tarr moved that the proposed new text be amended by inserting after section 49, the following 2 sections:-
"SECTION 49A. Subsection (h) of section 6 of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 239 and 243, the figure '15' and inserting in place thereof, in each instance, the following figure:— 20.
SECTION 49B. Said subsection (h) of said section 6 of said chapter 62, as so appearing, is hereby further amended by adding the following paragraph:— The commissioner of revenue shall institute an outreach program to inform taxpayers about the earned income tax credit, the requirements for claiming the credit and the option to receive the benefit throughout the year in each paycheck. To institute the program, the commissioner shall, to the extent that it is practicable, partner in outreach efforts with groups, including but not limited to, utility companies, labor organizations, chambers of commerce, municipalities, community based organizations and taxpayer advocates.".
The amendment was *rejected*.

Messrs. Hedlund, Tarr and Ross moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Section 1 of chapter 64H of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after the word 'services.' in line 204 the following new sentence:- In the case of the sale by a vendor of a mobile telecommunications device with mobile telecommunications services, the tax shall be imposed upon the price paid by the consumer at the point of sale of the mobile telecommunications device."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-eight minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 13 — nays 25)* **[Yeas and Nays No. 314]:**

YEAS.

Creem, Cynthia Stone	Pacheco, Marc R.
Donnelly, Kenneth J.	Ross, Richard J.
Donoghue, Eileen M.	Rush, Michael F.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Lewis, Jason M.	Wolf, Daniel A. − **13.**
Lovely, Joan B.	

NAYS.

Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.

Downing, Benjamin B.	O'Connor Ives, Kathleen
Eldridge, James B.	Petruccelli, Anthony
Finegold, Barry R.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rosenberg, Stanley C.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Welch, James T. − **25.**
Joyce, Brian A.	

ABSENT OR NOT VOTING.

Barrett, Michael J. − **1.**

The yeas and nays having been completed at twenty-eight minutes before three two o'clock P.M., the amendment was rejected.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__
Section6(h) of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking in lines 239 and 243 the figure '15' and inserting in place thereof the following figure:- '30'."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at six minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 7 — nays 32)* **[Yeas and Nays No. 315]:**

YEAS.

Chang-Diaz, Sonia	Ross, Richard J.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Wolf, Daniel A. − **7.**
Pacheco, Marc R.	

NAYS.

Barrett, Michael J.	Keenan, John F.
Brewer, Stephen M.	Kennedy, Thomas P.

Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	Moore, Richard T.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T. − **32.**

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

Messrs. Timilty, Keenan, Rush, Rodrigues, Montigny and Kennedy moved that the proposed new text be amended by inserting after section 12, the following section:-
"SECTION 12A. Chapter 14 of the General Laws is hereby amended by adding the following section:-
Section 12. Notwithstanding any general or special law or county charter to the contrary, each county government shall submit to the division of local services the annual or supplementary budget of the county and quarterly updates on the county's budget.";
By inserting after section 51, the following 2 sections:-
"SECTION 51A. Section 11 of chapter 64D of the General Laws, as so appearing, is hereby amended by inserting after the word 'assessment', in line 25, the following words:- , which shall include the county's required maintenance of effort for the fiscal year plus an additional 10 per cent of the combined maintenance of effort for fiscal year 2010 to fiscal year 2014, inclusive.
SECTION 51B. Said section 11 of said chapter 64D is hereby further amended by striking out the words 'plus an additional 10 per cent of the combined maintenance of effort for fiscal year 2010 to fiscal year 2014, inclusive', inserted by section 51A."; and
By inserting after section 131 the following section:-
"SECTION 131A. Section 51B shall take effect on July 1, 2024."
The amendment was **adopted.**

Ms. Donoghue, Messrs. Michael O. Moore and Ross, Ms. Spilka and Mr. Tarr moved that the proposed new text be amended by inserting after section __, the following new section:-

“SECTION __. Section 12 of chapter 156C, as appearing in the 2010 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:- (d) The fee for the filing of the certificate of organization required by subsection (a) shall be five hundred dollars. The fee for the filing of the annual report required by subsection (c) shall be five hundred dollars, except as provided in subsection (e). Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed. (e) The fee for the filing of the annual report required by subsection (c) for a limited liability company with 6 employees or fewer shall be two hundred and fifty dollars. Such fees shall be paid to the state secretary at the time the annual report is filed.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute past three o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 11 — nays 28)* **[Yeas and Nays No. 316]:**

YEAS.

Donoghue, Eileen M.	O'Connor Ives, Kathleen
Finegold, Barry R.	Pacheco, Marc R.
Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Rush, Michael F.
Lovely, Joan B.	Tarr, Bruce E. − **11.**
Moore, Richard T.	

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Petruccelli, Anthony
Donnelly, Kenneth J.	Rodrigues, Michael J.

Downing, Benjamin B.	Rosenberg, Stanley C.
Eldridge, James B.	Spilka, Karen E.
Flanagan, Jennifer L.	Timilty, James E.
Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. − **28.**

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

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION__. Section 5 of chapter 59 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after clause Twenty-second E the following clause:—
Twenty-second F. Real estate of soldiers and sailors and their spouses who are legal residents of the commonwealth who are veterans as defined in clause forty-three of section seven of chapter four, a disabled veteran may transfer or convey his residence or domicile, to which the disabled veteran has assigned the benefit of the tax abatement listed under said chapter 58 or this chapter to a trust or conservatorship or other legal instrument passing ownership to his spouse, such disabled veteran or his spouse shall be entitled to lawfully retain that formerly granted tax abatement to the residence or domicile until the death of the disabled veteran or his surviving spouse, providing that the aforementioned remain residing in said residence or domicile until their death. This clause shall take effect upon its acceptance by any city or town."
The amendment was **adopted.**

Ms. Donoghue, Ms. Candaras, Messrs. DiDomenico, Donnelly, Michael O. Moore and Rush, Ms. Spilka, Messrs. Timilty, Finegold, Joyce, Welch, Tarr, Eldridge, Kennedy and Hedlund moved that the proposed new text be amended by inserting after section __, the following section:-
"SECTION __. Subsection (a) of section 3B of Chapter 62 of the General Laws is hereby amended by inserting, at the end, the following new paragraph:- An amount equal to the amount expended in such taxable year for the purchase of an interest in, or contributed in such taxable year to an account in, a prepaid tuition program or college savings program established by the commonwealth or any instrumentality or authority thereof. In the case of a single person or a married person filing a separate return or a head of household, the total amount deducted in such taxable year shall not exceed $2,500. In the case of a married couple filing a joint return, the total amount deducted in such taxable year shall not exceed $5,000."
After remarks, the amendment was *rejected*.

Ms. Donoghue moved that the proposed new text be amended by inserting after section __, the following section:-
"SECTION __.Section 181 of Chapter 94 as appearing in the 2012 Official Edition, is hereby amended by adding after the second sentence in the first paragraph the following sentence:- 'The provisions of this section shall not apply to off-premise, standard factory packaged meat, poultry or fish items where the weight and price are the same for each meat, poultry or fish item.'."
After remarks, the amendment was **adopted.**

Ms. Forry moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting at the end thereof the following: "; provided, that no less than $150,000 shall be allotted for the statewide youth development sailing programs at the Harry McDonough Sailing Center in South Boston".
The amendment was *rejected*.

Ms. Forry, Mr. Downing, Ms. Creem, Ms. Spilka, Ms. Lovely, Mr. Michael O. Moore and Ms. O'Connor Ives moved that the proposed new text be amended by adding an outside section:
"SECTION ___. University of Massachusetts at Boston, through its office of public collaboration, shall conduct a study of current local and regional needs for conflict resolution and collaborative infrastructure in the Commonwealth. The study will help guide the Commonwealth in developing policies and allocating resources for municipalities and other public agencies in addressing complex, and often contentions, community issues such as finances and budgets, land use, housing and economic development, that require joint problem-solving with citizens and stakeholders.
The study shall include but not be limited to:
1. A literature review of research and publications on the utilization by local governments of public policy dispute resolution and

other collaborative processes to address complex, contentious public issues;
2. A municipal needs assessment involving select Massachusetts local government representatives, representatives of regional planning associations and municipal associations to delve deeper into the challenges faced by Massachusetts local governments;
3. Investigation of existing infrastructure within Massachusetts like community mediation and other dispute resolution resources that can support municipal conflict resolution and collaborative problem-solving.
4. Investigation of programmatic approaches in other states for deployment and funding of community dispute resolution and public engagement and benchmarking effective programs and models for potential replication.
5. Preliminary design of a state-of-the-art evidence-based policy framework for state and private investment and provision of grants, technical resources and capacity-building services to local governments;
6. Recommendations for the infrastructure and resources needed to oversee and administer such a technical assistance grant program and recommendations for implementation and timeframes.
The study shall be completed and submitted to the chairs of the House and Senate Committees on Ways and Means and the Secretary of the Administration and Finance not later than January 1, 2015."
Mr. Richard T. Moore in the Chair, after remarks, the amendment was **adopted.**

Ms. Forry and Ms. Chang-Diaz moved that the proposed new text be amended by adding the following section:-
"SECTION XX (A) The introductory paragraph of section 4A of chapter 7 of the General Laws is hereby amended by adding the following sentence:- 'The executive office shall also include an office of access and opportunity.'
(B) Said section 4A of said chapter 7 is hereby amended by inserting after paragraph (e) the following paragraph:-
(f) The office of access and opportunity shall be headed by an assistant secretary for access and opportunity who shall be appointed by the secretary with the approval of the governor. The assistant secretary shall be a person who has at least 5 years' experience in the area of civil rights and/or diversity and inclusion efforts. The office shall (1) promote non-discrimination and equal opportunity in all aspects of executive agency decision-making and operations, including but not limited to, employment activity, procurement activity, policymaking and implementation, and access to executive agency services; (2) review and recommend improvements to executive agency programs, activities, and services to ensure that said programs, activities and services are administered in a non-discriminatory manner; (3) review and recommend improvements to executive agency programs, activities, and services to foster economic opportunity for all persons; and, (4) with the approval of the secretary, take administrative actions, including but not limited to, promulgating administrative bulletins and other policy guidance to promote and ensure nondiscrimination and equal opportunity in the policies, services, programs, and activities of executive agencies. The office shall report annually the results of its effort to the chairs of the joint committee on state administration and regulatory oversight."
The amendment was **adopted.**

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 38FF the following section:-
SECTION (a) A corporation formed under chapter 156D and taxable under this chapter shall receive a nontransferrable credit against an excise tax imposed under subsection (b) of section 2, subsection (b) of section 2B or subsection (b) of section 39. (b) A corporation shall be eligible for a credit under subsection (a) only for the first 3 years in which it is required to file a return under this chapter; provided, however, that such credit shall not be allowed to any corporation with 50 percent or more of its voting stock owned by another corporation, whether or not such owning corporation is taxable in the commonwealth."
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION ___. Chapter 23K of the general laws is hereby amended by adding the following new section: Section 2A. Notwithstanding any general or special law to the contrary, a gaming license pursuant to Chapter 23K of the general laws may also be licensed, subject to the other provisions of said chapter and such other rules and regulations as the commission may establish, to conduct gaming operations via the internet, provided that such operations do not include or reflect gaming mechanisms operated by the state lottery program of those simulating or resembling slot machines, so-called, provided that such license obtains an Internet Gaming License pursuant to this section. An applicant for an Internet Gaming License shall conform to all other relevant provisions of this chapter. All proceeds from internet gaming authorized in this section shall be deposited to the Gaming Local Aid Fund established in section 63 of this chapter."
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION _. Section 67D of chapter 62C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (g) the following new sections:-
(h) when used in section (i)-(n), the following words shall have the following meaning:
'Application year', the calendar year for which a business submits the information required for a determination as to a jobs incentive credit.
'Business', a corporation, sole proprietorship, partnership, limited liability company or any other form of business organization.
'Commissioner', the commissioner of revenue.

‘Eligible Jobs’, a number determined by first multiplying each of the local jobs created by a business during a single calendar year by the job qualifier for that job, and then totaling the number for all of the local jobs created.
‘Full time employee’, a person who is employed for consideration for at least 35 hours per week and whose salary is subject to withholding as provided in chapter 62B.
‘Job qualifier fraction’, in the case of either a full-time employee or a part-time employee of a business, the figure that determines the extent to which that employee is employed in the commonwealth during a single calendar year. The job qualifier fraction for each employer shall be determined by multiplying the following percentages together: (i) the percentage of time that an employee worked while employed by the company expressed as average hours worked per week out of 35 hours, not to exceed 100 per cent; (ii) that employee’s time attributable to work in the commonwealth, as a portion of that employee’s total work for the company; and (iii) the portion of the year the employee worked for the company.
‘Jobs incentive credit’, a business employment incentive credit for companies as provided for in this section.
‘Local jobs created’, the total number of jobs created by a business during a single calendar year in which the new employees perform qualified services in at least 1 in-state location, including jobs performed by persons that are transferred within the company to work at an in-state location from a location based outside the state.
‘Part-time employee’, a person who is employed for consideration for less than 35 hours a week and whose salary is subject to withholding as provided in chapter 62B.
‘Credit years’, in the case of a business that is determined to be eligible for a jobs incentive credit, the 3 calendar years following the application year.
‘Weighted, average employment’, for a calendar year, the total number of jobs maintained by a business in which the employees performed employment services in at least 1 in-state location. The number is to be determined by first multiplying each of the individual jobs maintained by the company for that year by the job qualifier fraction for that job and then totaling the number for all of these jobs.
(i) A business that creates an eligible job in the commonwealth during its application year shall be entitled to a jobs incentive credit, spread equally over three calendar years, if its weighted average employment for such application year reflects a net increase over the company’s weighted average employment for the prior calendar year. The total jobs incentive credit shall be equal to 50 per cent of the amount paid by the company as salary attributable to eligible jobs created by the company in such year to the extent that the salary was subject to Massachusetts withholding pursuant to chapter 62B for such year, multiplied by the applicable Massachusetts income tax rate for such salary, and such credit shall be applied toward the company’s liability imposed by Chapter 62B, Section 2. A company shall take a jobs incentive credit for no more than 50 jobs created over its weighted average employment for the prior calendar year. For companies creating greater than 50 jobs over the weighted average employment for the prior calendar year, the total tax credit, which will be taken in three equal installments subject to the terms and conditions in the following sections, shall be determined by the salary of the first 50 eligible jobs created. For the purposes of this provision, an eligible job shall be deemed created in the commonwealth on the first day for which Massachusetts withholding is required in connection with the compensation paid to the employee.
(j) The jobs incentive credit shall be taken by a business in 3 equal installments in each of the 3 calendar years commencing with the calendar year subsequent to the application year. If, for the first or second credit year, the company’s weighted average employment falls below its weighted average for the application year, the company shall be disqualified from taking its second installment credit. It may nonetheless take its third installment credit if its weighted average employment for its second credit year is above its weighted average employment for the application year.
(k) A company that seeks a jobs incentive credit shall apply to the commissioner to receive permission to take such a credit on a form prescribed by the commissioner. This form shall reference the necessary information concerning the eligible jobs created by the company in the Commonwealth during the application year and also the company’s weighted average employment for such year and the prior calendar year. The commissioner shall advise the company of the determination in writing.
(l) Not later than March 1 of each calendar year for which a company has been approved to take a job incentives credit, the company shall submit to the commissioner, in a form prescribed by the commissioner, the information necessary to evaluate the company’s prior year weighted employment average.
(m) A company that has previously been approved to take a job incentive credit is entitled to re-apply for an additional credit for a second or third application year. In such cases, the company may be entitled to take a job incentive credit that relates to different application years in the same calendar year. When a company has previously been granted permission to take a jobs incentive credit for 3 application years, it shall not request an additional jobs incentive credit. In no case shall a company take a jobs incentive credit after June 30, 2016, when all provisions in (i)-(m) shall sunset and no longer be in effect.
(n) Following the termination of the job creation tax credit program, the commissioner of the department of revenue, in consultation with one or more institutes of higher learning, shall conduct a cost benefit analysis of said program, which shall take into consideration the total number of permanent in-state jobs created under the program, the total amount of tax credits provided, and any other factors that would be useful in measuring the success of the program. The commissioner shall prepare a report on the findings, which shall be filed with the clerk of the house of representatives and the clerk of the senate, the chairs of the house and senate committees on ways and means, and the house and senate chairs of the joint committee on revenue no later than September 30, 2016. Said report shall include the commissioner’s findings as to the feasibility of extending the job creation tax credit program beyond the sunset date, along with any recommendations for revising the program to make it more effective in enhancing the creation of jobs.”
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Michael O. Moore moved that the proposed new text be amended by striking section 85 in its entirety.

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at a half past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 4 — nays 35)* **[Yeas and Nays No. 317]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. **– 4.**

NAYS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.

Joyce, Brian A. Wolf, Daniel A. − **35.**

Keenan, John F.

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

Messrs. Rodrigues and Tarr moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION__. Notwithstanding the minimum gross sales required under section 3 of chapter 61A, land not less than 5 acres shall be considered actively devoted to cranberry production during calendar years 2014, 2015, 2016 and 2017 when the use of such land for such production is demonstrated by documenting normal maintenance or improvement practices conducted during that growing season. This provision applies only to land classified under chapter 61A in fiscal year 2014."
After remarks, the amendment was **adopted.**

Ms. Lovely moved that the proposed new text be amended by inserting after section ___, the following section:-
"SECTION ___. Section 1 of chapter 64G of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'licensee', in line 35, the following words:- ; 'provided, however, that when the use or possession, or the right to the use or possession, is the result of an emergency housing assistance placement under section 30 of chapter 23B, the term "occupancy" shall mean the use or possession, or the right to the use or possession, of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes, or the right to the use or possession of the furnishings or the services and accommodations, including breakfast in a bed and breakfast establishment, accompanying the use and possession of such room or rooms, for any period of time, regardless of whether such use and possession is as a lessee, tenant, guest or licensee'."
After remarks, the amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended by inserting after section __, the following seven sections:-
"SECTION Section 21 of Chapter 138, as appearing in the 2006 Official Edition, is hereby amended by striking out, in line 16, the words 'three dollars and thirty cents' and inserting in place thereof the following words:— 'nine dollars and ninety cents'.
SECTION Said Section 21 is hereby further amended by striking out, in line 20, the word 'three' and inserting in place thereof the following word:— 'thirty-three'.
SECTION Said Section 21 is hereby further amended by striking out, in lines 24 and 25, the words 'fifty-five cents' and inserting in place thereof the following word:— 'one dollar and sixty-five cents'.
SECTION Said Section 21 is hereby further amended by striking out, in line 27, the words 'seventy cents' and inserting in place thereof the following words:— 'two dollars and eighty cents'.
SECTION Said Section 21 is hereby further amended by striking out, in line 30, the words 'one dollar and ten cents' and inserting in place thereof the following words:— 'four dollars and forty cents'.
SECTION Said Section 21 is hereby further amended by striking out, in line 35, the words 'four dollars and five cents' and inserting in place thereof the following words:— 'twelve dollars and fifteen cents'.
SECTION Said Section 21 is hereby further amended by striking out, in lines 38 and 39, the words 'four dollars and five cents' and inserting in place thereof the following words:— 'twelve dollars and fifteen cents'."
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended by inserting after section__, the following sections:-
"SECTION __. Said chapter 62C, as so appearing, is hereby amended by inserting after section 26 the following section:-
Section 26A. The commissioner shall administer and enforce the assessment and collection of the taxes and penalties imposed under chapters 64H and 64I, including the collection and administration of all taxes imposed on remote sellers.
The commissioner shall take such administrative actions as are necessary to comply with any law enacted by the Congress of the United States that requires states to simplify the collection of sales and use taxes for remote sellers, including but not limited to applicable requirements relating to: (i) providing adequate software and services to remote sellers and single and consolidated providers, which identifies the applicable destination rate to be applied to sales that the commonwealth taxes under chapter 64H or 64I; (ii) providing certification procedures for both single providers and consolidated providers to make software and services available to remote sellers; (iii) ensuring that no more than one audit be performed or required for all state and local taxing jurisdictions within the commonwealth; and (iv) requiring that no more than one sales and use tax return per month be filed with the department of revenue by any remote seller or any single or consolidated provider on behalf of such remote seller.
The procurement rules in Chapter 30B shall not apply to the certification process for software providers.
SECTION Notwithstanding any general or special law, if a federal law is enacted that authorizes states to require remote sellers to collect sales and use taxes, then the commonwealth shall, as permitted by such federal legislation, require collection of sales and use tax by any remote seller, or a single or consolidated provider acting on behalf of a remote seller. The commissioner shall establish rules and regulations relating to the assessment, collection and enforcement of this tax."
After remarks, the amendment was **adopted.**

Messrs. Hedlund, Tarr and Ross moved that the proposed new text be amended by adding the following section:
"SECTION XX. The executive office of public safety and security, in conjunction with the department of children and families, shall investigate and study the feasibility of expanding the protections under section 39½ of chapter 119 of the General Laws to allow the placement into foster care any newborn infant aged 7 days or less that is voluntarily placed with an emergency responder at an agreed upon location following a 911 call. The study shall include, but not be limited to, the following: 1) the safety implications to children and families of such an expansion, and the benefits of allowing emergency responders to interact directly with parents; 2) the potential liability exposure to emergency responders, and the legal protections necessary to shield emergency responders during a request for placement; 3) the need to provide additional training and education for emergency responders and associated costs; and 4) rules, regulations and procedures required for implementation to maximize protections for both children and emergency responders. The executive office shall file its report, including recommendations for legislation, to the joint committee on public safety and homeland security no later than September 30, 2014."
The amendment was *rejected*.

Ms. Creem and Messrs. Donnelly and Tarr moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Clause Forty-first A of said section 5 of chapter 59 of the General Laws, is hereby amended by inserting, in line 1064, after the words 'chapter sixty' the following words:— , provided, that any city or town may, by vote of its legislative body, adopt a grace period of up to one year after the death of the person whose taxes have been deferred, during which time interest shall continue to accrue at the rate provided in this clause."
The amendment was *rejected*.

Ms. Creem, Mr. Pacheco, Ms. Donoghue, Mr. Timilty, Ms. Spilka and Messrs. Finegold and Tarr moved that the proposed new text be amended by inserting after section 86, the following section:-
"SECTION 86A. (a) There shall be a Massachusetts zero emission vehicle commission to study the economic and environmental benefits and costs of increased use of zero emission vehicles in the commonwealth. For the purpose of this commission, zero emission vehicles shall include electric vehicles, both battery electric and plug-in hybrid electric vehicles, and fuel cell vehicles. (b) The commission shall consist of 27 members: (i) the secretary of energy and environmental affairs or a designee who shall serve as chair; (ii) 2 of whom shall be undersecretaries of the executive office of energy and environmental affairs or their designees; (iii) the secretary of transportation or a designee; (iv) the commissioner of energy resources or a designee; (v) the commissioner of environmental protection or a designee; (vi) the deputy director of division of standards or a designee; (vii) 1 of whom shall be appointed by the mayor of the city of Boston; (viii) 2 of whom shall be appointed by the Massachusetts Municipal Association; and (ix) 17 members to be appointed by the governor, 3 of whom shall be representatives of the environmental community, 2 of whom shall be representatives of the business community, 1 of whom shall be a representative of parking garage or lot owners or operators, 2 of whom shall be representatives of an electric distribution company, 2 of whom shall be franchised motor vehicle dealers who possess a class 1 license under sections 58 and 59 of chapter 140 of the General Laws and sell electric vehicles as a segment of their vehicle inventory, 1 of whom shall be a representative of a municipal light plant organization, 2 of whom shall be representatives of electric vehicle charging infrastructure manufacturers, 1 of whom shall be a representative of a hydrogen fueling infrastructure manufacturer, 3 of whom shall be representatives of electric or fuel cell vehicle manufacturers. The secretary of energy and environmental affairs may appoint additional non-voting members. The study shall include, but not be limited to, recommendations for policies to: (A) further expand access to electric and fuel cell vehicle infrastructure in the commonwealth; (B) encourage the purchase and lease of electric and fuel cell vehicles; (C) reduce the up-front costs associated with electric and fuel cell vehicle purchases; and (D) identify strategies for removing barriers to electric and fuel cell vehicle deployment. The commission shall file an action plan based on the work of the Massachusetts electric vehicle task force on or before September 30, 2014. A full report of the commission's findings and recommendations, including any draft legislation, shall be filed with the clerks of the house and senate on or before April 15, 2015.".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eleven minutes before four o'clock P.M., on motion of Ms. Creem, as follows, to wit *(yeas 39 — nays 0)* **[Yeas and Nays No. 318]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.

Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. **- 39.**
Keenan, John F.	

NAYS − 0.

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

Messrs. Hedlund, Ross, Tarr and Humason moved that the proposed new text be amended by adding the following section:- "SECTION XXX: The office of the state treasurer is hereby directed to post on the Open Checkbook website all payouts of severance and settlement agreements involving employee disputes; provided that such information shall include the amount of the settlement and to whom it was paid."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes before four o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 16 — nays 23)* **[Yeas and Nays No. 319]:**

YEAS.

Creem, Cynthia Stone	Lewis, Jason M.
Eldridge, James B.	Lovely, Joan B.
Finegold, Barry R.	Moore, Michael O.
Forry, Linda Dorcena	Moore, Richard T.
Hedlund, Robert L.	O'Connor Ives, Kathleen
Humason, Donald F., Jr.	Ross, Richard J.
Jehlen, Patricia D.	Tarr, Bruce E.
Joyce, Brian A.	Timilty, James E. − **16.**

NAYS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	McGee, Thomas M.
Brownsberger, William N.	Montigny, Mark C.
Candaras, Gale D.	Pacheco, Marc R.
Chandler, Harriette L.	Petruccelli, Anthony
Chang-Diaz, Sonia	Rodrigues, Michael J.
DiDomenico, Sal N.	Rosenberg, Stanley C.
Donnelly, Kenneth J.	Rush, Michael F.
Donoghue, Eileen M.	Spilka, Karen E.
Downing, Benjamin B.	Welch, James T.
Flanagan, Jennifer L.	Wolf, Daniel A. − **23.**
Keenan, John F.	

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

Messrs. Ross and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Subsection (4 7/8E) of section 20 of chapter 32 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'board', in line 623, the second time it appears, the following words:- in which he receives said remuneration, financial benefit or consideration of any kind;."
The amendment was *rejected*.

Messrs. Ross, Tarr, Hedlund and Humason moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 2B of chapter 59 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, in line 18, after the words 'and laws', the following:- ; provided further, that, subject to section 4 of chapter 4, for the purposes of this section, a farmers' market, as defined by the Massachusetts department of agricultural resources, shall be considered a public purpose."
After remarks, the amendment was *rejected*.

Messrs. Ross, Tarr, Hedlund, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following section:-
"SECTION XX. Section 38A of chapter 41 of the general laws is hereby amended by striking the first sentence and inserting in place thereof the following: A city or town may by ordinance, by-law or vote, notwithstanding any other provision of law, general or special, provide that the collector of taxes shall be authorized to collect, under the title of city or town collector, any accounts due the city or town, and may in like manner define his powers and duties in relation to the collection of such accounts, but no such ordinance, by-law or vote, heretofore or hereafter passed, shall limit such collector in the exercise of the remedies hereinafter conferred."
After remarks, the amendment was **adopted.**

Mr. Montigny moved that the proposed new text be amended by inserting after section___, the following sections:-
"SECTION ___ Section 1 of Chapter 62C, as appearing in the 2012 Official Edition, is hereby amended by inserting the following new subsections in the definition of 'tax credit program' after subsection (xii):-
(xiii) the investment tax credit in section 31A of chapter 63, (xiv) the devens refundable tax credit in section 38N of chapter 63 (xiv) the abandoned building renovation deduction in section 38O of chapter 63.
Section 2. Said Chapter 62C, as appearing in the 2012 Official Edition, is amended by inserting after section 89 the following:-
Section 90. Sunsets for Tax Credit Programs
(a) Notwithstanding any general or special law to the contrary, all tax credit programs shall expire after a period of three years unless reauthorized by an act of the legislature after review and examination of the effectiveness of each such tax credit program by the department of revenue and the executive office of administration and finance's office of commonwealth performance, accountability and transparency.
(b) Notwithstanding any general or special law to the contrary, all tax credit programs existing and in effect at the time of the passage of this law, shall expire after one year of the date of the passage of this law unless reauthorized by an act of the legislature after review and examination of the effectiveness of each such tax credit program by the department of revenue and the executive office of administration and finance's office of commonwealth performance, accountability and transparency.
Section 3. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 90 the following:-
Section 91. In any review and examination of a tax credit program, the department of revenue and the office of commonwealth accountability, performance and transparency shall, in addition to any other analysis deemed appropriate by the agencies, identify and develop metrics for assessing the effectiveness of each tax credit program at achieving its identified purposes and outcomes, identify revenue foregone, beneficiaries and distribution of amounts received, and the number of jobs created ,if applicable. After completion of such review and examination, the agencies shall issue a report to the governor and legislature's committees on way and means and post audit and oversight. Except for the reports on the examination of tax credit programs under section 90(b), the report shall be completed one year before the expiration date of the tax credit program which is the subject of the report. In any report issued by the agencies after the review and examination of any tax credit program, the report, based on the agencies' examination of the tax credit program, studies and data from other states and academia, shall make recommendations for elimination or modification of the tax credit program to more effectively achieve the tax credit programs identified public policy purposes.
Section 4. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 91 the following;-
Section 92. Notwithstanding any general or special law to the contrary, all tax credit programs shall contain and include a clawback provision, so called, that permits the commonwealth to recoup foregone tax receipt from tax credit program recipients who fail to achieve or meet stated goals and benchmarks, including but not limited to job creation goals set forth in their tax credit program.
Section 5. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 92 the following:-

Section 93. Before submitting any new tax credit program for legislative approval, the governor shall include in the governor's legislative proposal or bill for the new tax credit program the following: (a) the new tax credit program's clearly specified public policy purpose and desired outcome, (b) a finding that the tax credit program is expected to be highly effective at achieving the stated public policy purposes, (c) estimates of foregone revenue from the new tax credit program, (d) for discretionary grant like tax credit programs an overall annual dollar cap on foregone revenue, (e) for discretionary grant like tax credit programs, the criteria to be applied by the administering agency in making discretionary awards of tax credit programs and (f) for discretionary grant like tax credit programs, provisions for the tax credit program's administration including, but not limited to, (i) clear written conditions and commitments,(ii) public disclosure of recipients and tax benefits, (iii) if tax credit program conditions are not met by the recipient, threshold for further review and enforcements including the use of the tax credit program's clawback provision, and (iv) a competitive award process."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes past four o'clock P.M., on motion of Mr. Montigny, as follows, to wit *(yeas 13 — nays 27)* **[Yeas and Nays No. 320]:**

YEAS.

Barrett, Michael J.	Jehlen, Patricia D.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	O'Connor Ives, Kathleen
Creem, Cynthia Stone	Pacheco, Marc R.
Donnelly, Kenneth J.	Wolf, Daniel A. − **13.**
Eldridge, James B.	

NAYS.

Brewer, Stephen M.	McGee, Thomas M.
Candaras, Gale D.	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donoghue, Eileen M.	Murray, Therese
Downing, Benjamin B.	Petruccelli, Anthony
Finegold, Barry R.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rosenberg, Stanley C.

Forry, Linda Dorcena	Ross, Richard J.
Hedlund, Robert L.	Rush, Michael F.
Humason, Donald F., Jr.	Spilka, Karen E.
Joyce, Brian A.	Tarr, Bruce E.
Keenan, John F.	Timilty, James E.
Kennedy, Thomas P.	Welch, James T. − **27.**
Lovely, Joan B.	

The yeas and nays having been completed at a half past four o'clock P.M., the amendment was *rejected*.

Mr. Eldridge and Ms. Chandler moved that the proposed new text be amended by inserting after section XX, the following section:-
"SECTION XX. Section 9I of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after the words 'bachelor's degree', in line 8, the following words:- 'or higher'.".
After remarks, the amendment was **adopted.**

Mr. Eldridge moved that the proposed new text be amended by inserting after section XX, the following new section:-
"SECTION XX. Notwithstanding any general or special law to the contrary, the special water infrastructure finance commission, established by section 145 of chapter 27 of the acts of 2009, shall be dissolved."
After remarks, the amendment was **adopted.**

Mr. Rodrigues moved that the proposed new text be amended by inserting after section__, the following sections:-
"SECTION__. Section sixty-three B of chapter one hundred eighty-three is hereby amended by adding the following paragraph:-
This section shall only apply to a loan to be secured by a mortgage or lien on real estate located in the Commonwealth that is owner occupied one to four family residential real estate (including individual units of condominiums and cooperatives).
Any mortgagor claiming to be aggrieved by a violation of this section may, within three years after the violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for any damages incurred or for one-thousand dollars for each violation, whichever is greater, and for injunctive relief.
Any mortgagor so aggrieved and who prevails in such an action shall be awarded triple damages; and the mortgagor shall also be awarded the costs of the litigation and reasonable attorneys' fees. The Undersecretary of the Massachusetts Office of Consumer Affairs & Business Regulation is hereby authorized to enforce the provisions of this section including, but not limited to, the promulgation of reasonable rules and regulations, and shall take such affirmative action as in her judgment will effect the purposes of this section.
A violation of section sixty-three B of chapter one hundred eighty-three shall also be deemed an unfair and deceptive act and unfair method of competition pursuant to the provisions of chapter 93A, including its private rights of actions and remedies and rights, remedies, and duties of the Attorney General therein.
SECTION__. Section six of chapter two hundred fifty-five E is amended by inserting after clause (ii) the following clause:-
(iii) any violation of section sixty-three B of chapter one hundred eighty-three."
The amendment was *rejected*.

Messrs. Ross, Tarr, Humason and Joyce moved that the proposed new text be amended by inserting at the end thereof the following section:-
"SECTION XX. Section 6 of chapter 64H of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following new paragraph:- (yy) Sales of trees during the last week of April."
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION Section 1A of chapter 239 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by

inserting at the end thereof the following paragraph: A lessor of land or tenements used for residential purposes may bring an emergency action to recover possession upon a showing that significant damage to the premises is occurring or is likely to result from continued occupancy of the tenant. A hearing on such action shall be held within 14 days after the action is initiated.
SECTION__. Section 8A of said chapter 239, as so appearing, is hereby amended by striking the second paragraph in its entirety and inserting in place thereof the following: Whenever any counterclaim or claim of defense under this section is based on any allegation concerning the condition of the premises or the services or equipment provided therein, the tenant or occupant shall not be entitled to relief under this section unless: (1) the owner or his agents, servants, or employees, or the person to whom the tenant or occupant customarily paid his rent knew of such conditions before the tenant or occupant was in arrears in his rent; (2) the tenant, within 7 days of the typical rent payment date, deposited the withheld rent with the clerk to be held in escrow; (3) the plaintiff does not show that such conditions were caused by the tenant or occupant or any other person acting under his control; except that the defendant shall have the burden of proving that any violation appearing solely within that portion of the premises under his control and not by its nature reasonably attributable to any action or failure to act of the plaintiff was not so caused; (4) the tenant shows that, upon reasonable notice by the owner, they did not unreasonably deny access to the owner or owner's representative to make the repairs or alterations; (5) the premises are not situated in a hotel or motel, nor in a lodging house or rooming house wherein the occupant has maintained such occupancy for less than three consecutive months; and (6) the plaintiff does not show that the conditions complained of cannot be remedied without the premises being vacated; provided, however, that nothing in this clause shall be construed to deprive the tenant or occupant of relief under this section when the premises are temporarily vacated for purposes of removal or covering of paint, plaster, soil or other accessible materials containing dangerous levels of lead pursuant to section one hundred and ninety-seven of chapter one hundred and eleven.
SECTION__. Said section 8A of said chapter 239, as so appearing, is hereby further amended in the last sentence of the fourth paragraph by striking, in line 74, the word 'may' and inserting in place thereof the following word:- 'shall'.
SECTION__. Said section 8A of said chapter 239, as so appearing, is hereby further amended by inserting at the end thereof the following paragraph:- Any rent withheld and placed in escrow with the clerk based on any allegation concerning the condition of the premises or the services or equipment provided therein, shall be released to the owner or owner's representative within 21 days following cure of the defect for which rent was withheld, provided that the local board of health has inspected the property and certified that the defect has been cured."
The amendment was *rejected*.

Messrs. Ross, Hedlund and Humason moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 63 of chapter 118E of the General Laws, as appearing in the 2012 Official Edition, is hereby repealed."
After remarks, the amendment was *rejected*.

Ms. Jehlen, Ms. Candaras, Ms. Chang-Diaz, Ms. Spilka, Messrs. Michael O. Moore and Hedlund, Ms. O'Connor Ives, Messrs. Lewis, Montigny, Brownsberger and Barrett moved that the proposed new text be amended by inserting the following new section:-
"SECTION XX. Section 35WW of Chapter 10 of the Massachusetts General Laws, as so appearing, is hereby amended by adding, after the last sentence, the following: Funds deposited and expended from the Homeless Animal Prevention and Care Fund shall not be assessed any indirect costs."
After remarks, the amendment was **adopted.**

Messrs. Pacheco, DiDomenico and Rush moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Chapter 6 of the General Laws is hereby amended by inserting after section 15OOOOO the following section:- 'Section 15PPPPP. The governor shall annually issue a proclamation setting apart the month of May as Blue Star Mothers Month, in recognition of the history and contributions of Blue Star Mothers of America, and recommending that said month be observed in an appropriate manner by the people.'."
After remarks, the amendment was **adopted.**

Mr. Joyce moved that the proposed new text be amended in section 2, in item 0526-0100, by adding at the end thereof the following:- "; provided, that no less than $500,000 be expended for the rehabilitation of the State Theatre in the town of Stoughton".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 1599-0026, by adding at the end thereof the following: "provided further, that $20,000 shall be expended to the Cape Cod Mosquito Control Project to conduct a study to determine a basis for separation from the State Reclamation Board to an independent agency on Cape Cod".
The amendment was *rejected*.

Messrs. Wolf, Joyce, Montigny and Richard T. Moore, Ms. O'Connor Ives, Ms. Spilka and Mr. Timilty moved that the proposed new text be amended in section 2, by inserting after item 7008-0900 the following item:
"7008-0902 For the costs associated with anniversary celebrations honoring the founding of Massachusetts' cities and towns; provided, that not less than $310,000 shall be expended for Plymouth 400, Inc. for the 400th anniversary of the pilgrims landing

at Plymouth; provided further, that said program shall provide a matching amount of at least $310,000 in private funding; provided further, that not less than $60,000 of this sum shall go to the town of Provincetown's Tourism Fund for planning, marketing and support of the commemoration of the 400th anniversary; provided further, that not less than $50,000 shall be expended for the 350th anniversary of the town of Dartmouth; provided further, that not less than $50,000 shall be expended for a matching grant to the Hopkinton 300th Anniversary Celebration Committee for the 300th anniversary of the town of Hopkinton; provided further, that not less than $35,000 shall be expended for the 250th anniversary of the city of Newburyport; provided further, that not less than $20,000 shall be expended for the 250th anniversary of the town of Paxton; provided further, that not less than $50,000 shall be expended for the 250th anniversary of the town of Sharon; and provided further, that not less than $10,000 shall be expended for the Millville centennial…..… $525,000".
The amendment was **adopted.**

Messrs. Hedlund, Tarr and Ross moved that the proposed new text be amended by inserting the following section:-
"SECTION XX. Section 3 of Chapter 115 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 2, the words ', annually in April,' and inserting after the word 'agent' in line 2, the following words:— who shall serve for a term of up to three years and be eligible for reappointment."
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended in section 2, in item 7061-0011, by adding at the end thereof the following: "provided further, that not less than $ 3,000,000 shall be expended for communities that (i) have been adversely affected by the closure of a charter school; (ii) who have experienced unanticipated fiscal challenges; (iii) experience foundation enrollment growth of greater than 200 pupils from fiscal year 2014 to fiscal year 2015; and (iv) whose chapter 70 as a percentage of total foundation budget is less than the district's target aid percentage"; and by striking out the figure "2,000,000" and inserting in place thereof the figure "5,000,000".
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended by inserting the text of Senate document numbered 2200, relative to local aid lottery expansion.
The amendment was *rejected*.

Messrs. Keenan and Donnelly moved that the proposed new text be amended by inserting after section___, the following new section:-
"SECTION ___. Chapter 32B of the General Laws, as appearing in the 2012 official edition, is hereby amended by inserting after section 19 (j), the following:- '(k) Notwithstanding any other general or special law to the contrary, agreements reached by an appropriate public authority and the public employee committee under subsection (a) to transfer all subscribers to the commission under subsections (e) and (f), may be modified by further agreement to allow active employees and their dependents to enroll in the dental and vision insurance plan provided by the commission to retirees, surviving spouses and their dependents under subsection (j),with premium contribution ratios and administrative fees for active employees and their dependents to be negotiated by said appropriate public authority and public employee committee. The commission shall provide dental insurance coverage, under its plan for retirees, surviving spouses and their dependents insured under Chapter 32A, to active employees and their dependents who elect the coverage under this subsection, as it so provides health insurance coverage under sections (e) and (f). The commission may charge an administrative fee, which shall not be more than 1 percent of the cost of total dental insurance premiums for the active employees and their dependents who enroll in the dental plan under this section, to be determined by the commission which shall be considered as part of the cost of coverage for purposes of determining the contributions of the political subdivision and its active employees and their dependents to the cost of insurance coverage by the commission."; and
By inserting after section 23(i), the following:-
"(l) Notwithstanding any other general or special law to the contrary, agreements reached by an appropriate public authority and the public employee committee to transfer all subscribers, for whom the authority provides health insurance coverage, to the commission under this section, may be modified by further agreement to allow active employees and their dependents to enroll in the dental and vision insurance plan provided by the commission to retirees, surviving spouses and their dependents under subsection (i),with premium contribution ratios and administrative fees for active employees and their dependents to be negotiated by said appropriate public authority and public employee committee. The commission shall provide dental insurance coverage, under its plan for retirees, surviving spouses and their dependents insured under Chapter 32A, to active employees and their dependents who elect the coverage under this subsection, as it so provides health insurance coverage under this section. The commission may charge an administrative fee, which shall not be more than 1 percent of the cost of total dental insurance premiums for the active employees and their dependents who enroll in the dental plan under this section, to be determined by the commission which shall be considered as part of the cost of coverage for purposes of determining the contributions of the political subdivision and its active employees and their dependents to the cost of insurance coverage by the commission."
After remarks, the amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section 122, the following section:-
"SECTION 122A. Notwithstanding any general or special law to the contrary, a bridge located on state highway route 122A over the Blackstone River on Providence street in the town of Millbury shall be designated and known as the Joseph R. Bianculli bridge in honor of Joseph Bianculli's service and advocacy for veterans. The Massachusetts Department of Transportation shall

erect and maintain suitable markers bearing that designation in compliance with the standards of the department.
SECTION 122B. The parcel of state land at the intersection of Canal street and Providence street in the town of Millbury shall be designated and known as the Millbury Veterans Memorial Park."
After remarks, the amendment was **adopted.**

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, 50 percent of any of the unexpended and unencumbered balances of appropriations on June 30, 2014, or $50,000,000, whichever is less, shall be distributed to cities and towns in accordance with the distribution of the balance of the State Lottery Fund, as paid from the General Fund in accordance with clause (c) of the second paragraph of section 35 of chapter 10 of the General Laws. The distribution authorized by this section shall be executed not later than October 31, 2014; provided further, that any funds distributed under this section shall be considered one-time funding, and shall not be considered part of a municipality's Unrestricted General Government Aid in fiscal year 2014 and 2015; provided further, the distribution shall in no way constitute a new and continuing funding source for cities and towns."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute past five o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 7 — nays 32)* **[Yeas and Nays No. 321]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. **– 7.**
Moore, Richard T.	

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.

Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. − **32.**

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

Mr. Tarr moved that the proposed new text be amended by inserting the text of Senate document numbered 2199, relative to restoring unrestricted general government aid.
The amendment was rejected
Messrs. Donnelly, Keenan and Lewis, Ms. Spilka, Ms. Jehlen, Ms. Lovely, Messrs. DiDomenico, Hedlund, McGee and Brownsberger moved that the proposed new text be amended by inserting after section XX, the following new section:-
"SECTION XX. The second paragraph of section 29 of chapter 40B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by deleting the sentence 'Such assessment shall not exceed a sum equivalent to fifteen cents per capita for the fiscal year nineteen hundred and seventy-five.' and inserting in place thereof following sentence:- 'Such assessment shall be a sum equivalent to fifty cents per capita for the fiscal year two thousand and fifteen.'."
The amendment was rejected
Messrs. Donnelly, Michael O. Moore, Eldridge, Keenan and DiDomenico, Ms. Jehlen, Messrs. McGee and Lewis and Ms. Chandler moved that the proposed new text be amended by inserting the following sections:-
"SECTION 44A. Section 22 of chapter 32B of the General Laws, as so appearing, is hereby amended by striking out, in line 59, the figure '2014' and inserting in place thereof the following figure:- 2016.
SECTION 44B. Said section 22, as so appearing, is hereby further amended by striking out, in lines 62, 64 and 68, the words 'July 1, 2011' and inserting in place thereof, each time they appear, the following words:- May 1, 2014."
After remarks, the amendment was **adopted.**

Messrs. Lewis and DiDomenico and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 7003-1206, by adding the following proviso:- "; provided further that not less than $200,000 shall be expended for Tri-City Community Action Program, Inc. in the City of Malden".
The amendment was rejected
Ms. Creem moved that the proposed new text be amended by inserting after section __, the following section:-
"SECTION __. Section 22 of Chapter 40 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding, at the end of the third paragraph thereof, the following sentences:- The licensing authority that issues taxicab licenses or hackney carriage licenses, shall also issue an official identifying document, separate from a license or hackney license, to be placed in the rear interior of the vehicle with the drivers identifying picture, name and hackney or licensing number. This document shall be formatted so as to travel with the operator from cab to cab. Each cab shall also have affixed in the interior rear of the vehicle the name or the trade name of the company, company phone number and either the medallion number or vehicle number. Both designated documents shall be visibly affixed either on the partition behind the head of the driver or on the head rest of the driver so as to be made visible to passengers inside the vehicle.
The licensing authority may designate the manner in which they provide such documentation to an authorized driver and the manner in which such document is affixed inside the vehicle."
The amendment was rejected
Messrs. Ross, Hedlund, Tarr, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Notwithstanding any general or special law to the contrary, in the event state tax revenues for fiscal year 2015 exceed $24,337,000,000, the treasurer shall make fifty percent of the excess revenue, up to $100,000,000, available to cities and

towns; provided, the excess revenue shall be distributed on a proportional basis pursuant to the distribution of unrestricted general government aid, as prescribed in section 3 of the annual general appropriations act; provided, the treasurer shall notify the house and senate chairs of the committees on ways and means, the house and senate chairs of the joint committee on education, the commissioner of revenue, the secretary of education, and the secretary of administration and finance of any distribution which is made according to this section not less than 30 days prior to the date such distribution is implemented."
The amendment was rejected
Mr. Kennedy moved to amend the proposed new text by inserting after section 34, the following 3 sections:-
"SECTION 34A. Section 4 of chapter 29A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'utilities', in line 20, the following words:- , county courthouse retiree health benefits, not less than $1 per square foot for administrative costs.
SECTION 34B. Said section 4 of said chapter 29A, as so appearing, is hereby further amended by inserting after the word 'costs', in line 27, the following words:- ; provided, however, that for the purposes of this section, "maintenance costs" may include healthcare benefits for retirees of the county courthouses.
SECTION 34C. Said section 4 of said chapter 29A, as so appearing, is hereby further amended by striking out, in line 47, the word 'ninety' and inserting in place thereof the following figure:- 100.
SECTION 34D. Said section 4 of said chapter 29A, as so appearing, is hereby further amended by inserting after the word 'expenditures', in line 54, the following words:- ; provided, however, that if the quarterly payment is more than 5 days late, the judicial branch shall pay to the county a penalty equal to 5 per cent of the quarterly payment due."
After remarks, the amendment was **adopted.**

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Chapter 211D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, after subsection (i), the following subsection:-
(j) The clerk of the court shall submit a quarterly report to MassHealth, the department of transitional assistance and the registry of motor vehicles detailing the amount of any unresolved counsel fees owed by persons for whom counsel was appointed under this chapter. Said fees shall be considered by MassHealth and the department of transitional assistance as financial benefits to be repaid pursuant to section 22 of chapter 118E and section 5G of chapter 18. The registry of motor vehicles shall not issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently purchased by such person until it receives notification from the clerk of the court that the fee has been resolved."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-seven minute past five o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 7 — nays 32)* **[Yeas and Nays No. 322]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. − **7.**
Moore, Richard T.	

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.

Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. − **32.**

The yeas and nays having been completed at a half past five o'clock P.M., the amendment was *rejected*.

Messrs. Brownsberger and Tarr moved that the proposed new text be amended by adding the following section:-
“SECTION XX. Section 58 of chapter 30 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word ‘custody’, in line 19, the following words:- , or in the case of a court officer, receives bodily injuries resulting from acts of violence in the courtroom or public areas, holding areas and other designated areas of the courthouse or from subduing or apprehending escaping prisoners.”
The amendment was rejected
Mr. Brownsberger moved that the proposed new text be amended in section 2, by inserting after line item 0330-0300 the following:
“xxxx-xxxx for Alternative Dispute Resolution (ADR) programs and ADR training and education programs in the Boston Municipal Court, District Court, Housing Court, Juvenile Court, and Probate and Family Court Departments of the Trial Court..$2,319,885”.
The amendment was rejected
Messrs. Brownsberger and Kennedy moved that the proposed new text be amended in section 2, by inserting after line item 0330-0300, the following:-
“xxxx-xxxx for enhanced courthouse security; provided, that not more than $854,000 of the sum appropriated in this item shall be expended for the purchase of walk through metal detectors, package x-ray machines, CCTV system upgrades, and the installation of duress alarms; provided further, that not more than $1,354,166 of the sum appropriated shall be expended from this item for the expense of hiring and training of twenty additional Court Officer and twenty additional Associate Court Officer positions……. $2,208,166”.
The amendment was *rejected*.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 0330-0599, by inserting after the words “new court locations;” the following:- “provided further that one new location shall be in a rural county experiencing high caseloads;”. After remarks, the amendment was **adopted.**

Messrs. Brownsberger and Donnelly, Ms. Creem, Messrs. Barrett, Wolf and Lewis, Ms. Chang-Diaz, Mr. DiDomenico, Ms. Candaras, Mr. Rodrigues, Ms. Forry, Ms. Jehlen, Mr. Eldridge, Ms. Lovely, Mr. Keenan, Ms. Donoghue, Ms. Spilka, Ms. O'Connor Ives and Messrs. Rush, Welch, Joyce, Finegold, McGee and Montigny moved that the proposed new text be amended in section 2, in item 0321-1600, by striking out the figures “13,000,000” and inserting in place thereof the figures “14,000,000”. After remarks, the amendment was **adopted.**

Mr. Brownsberger, Ms. Candaras, Ms. Jehlen and Messrs. Lewis, Tarr, DiDomenico and Barrett moved that the proposed new text be amended in section 2, by inserting the following new item:-
“0810-XXXX For a fund to provide reimbursement to any state, municipal, public or private agency or person for the purpose of the housing, care and welfare of any animal seized under sections 77 or 94 of chapter 272, until final disposition of such animal if such temporary care exceeded thirty days in duration and such costs exceed the amount of any bond or security posted under to section 104 of chapter 272. Nothing in this section shall prevent the Attorney General from obtaining or using funds from sources other than the account for the housing, care and welfare of any animal seized under said sections. At the end of each fiscal year any unexpended balance shall be retained in this fund for future use. Expenditures from this fund shall be disclosed in a manner consistent with the provisions of section 14C of chapter 7 of the general laws ……..…… $100,000”.
The amendment was *rejected*.

Ms. Donoghue, Ms. Candaras, Ms. Forry and Messrs. Michael O. Moore, Ross, Brownsberger, Montigny, Eldridge and Joyce moved that the proposed new text be amended in section 2, in item 0330-0601, by striking out figure “$3,000,000” and inserting in place thereof the following figure:- “$5,000,000”.
The amendment was *rejected*.

Messrs. Brownsberger and Eldridge, Ms. Creem, Ms. Candaras, Ms. Donoghue, Ms. Spilka, Messrs. Welch, Joyce, Downing, McGee and Lewis and Ms. Lovely moved that the proposed new text be amended by inserting the following new section:-
“SECTION XX. Chapter 211D, as appearing in the 2012 Official Edition, is hereby amended by striking out section 11, and inserting in place thereof the following:-
Section 11. (a) 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 per hour; for district court cases and children in need of services cases the rate of compensation shall be $52 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 $52 per hour. These rates of compensation shall be reviewed periodically at public hearings held by the committee at appropriate locations throughout the state, and notice shall be given to all state, county and local bar associations and other interested groups, of such hearings by letter and publication in advance of such hearings. This periodic review shall take place not less than once every 3 years.
(b) The committee shall set an annual cap on billable hours not in excess of 1650 hours, provided however that such limitation shall not apply, if the chief counsel of the committee determines that a waiver shall be allowed due to:-
i) Limited availability of qualified counsel in that geographic location or practice area;
ii) Requirements for expertise rendering assignment to certain service providers would be more cost effective; or
iii) Demonstrated efficiency of the service provider shows that shifting the service to other providers will reduce the quality and increase the cost of the service. Counsel appointed or assigned to represent indigents within the private counsel division shall not be paid for any time billed in excess of the annual limit of 1,650 billable hours, provided, however, that if a waiver has been granted in accordance with this section counsel appointed or assigned to represent indigents within the private counsel division shall not be paid for any time billed in excess of an annual limit of 1,800 billable hours. It shall be the responsibility of private counsel to manage their billable hours.
(c) Any counsel who is appointed or assigned to represent indigents within the private counsel division, except any counsel appointed or assigned to represent indigents within the private counsel division in a homicide case, shall be prohibited from accepting any new appointment or assignment to represent indigents after that counsel has billed 1,350 billable hours during any fiscal year, provided however, that the limitation shall not apply if the chief counsel for the committee determines that a waiver shall be allowed due to factors set out in subsection (b) of this section.”
The amendment was *rejected*.

Mr. Brownsberger, Ms. Forry, Mr. Eldridge, Ms. Creem, Ms. Candaras, Ms. Chang-Diaz, Mr. Rush, Ms. Spilka, Mr. Welch, Ms. Jehlen, Mr. Keenan and Ms. Lovely moves that the proposed new text be amended by inserting after item 0321-1520 the following new item:-
“0321-1521 For the retention of public attorneys in the employ of the Committee for Public Counsel Services with more than 3 years of experience; provided, that the committee shall transfer funds to the AA object class; provided further, that funds distributed from this item shall be used for retention purposes and shall not be transferred out of the AA object class; provided further, that not less than 60 days prior to the use of said funds, the committee shall notify the house and senate committees on

ways and means prior to increasing the base compensation for said public attorneys..... $500,000".
The amendment was *rejected*.

Mr. Brownsberger and Ms. Jehlen moved that the proposed new text be amended by inserting the following new section:-
"SECTION X: Chapter 127 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting after section 117A, the following new section:-
117B. Terminally Ill Inmates.
The Commissioner of the Department of Correction or a Sheriff may petition a Court of original jurisdiction for an Order permitting the transfer of a terminally ill inmate, as certified by the physician or director of medical care at the correctional facility, to receive medically appropriate care at an alternative location of confinement, which shall include a hospital, nursing facility, residential care facility, hospice program or other setting where the inmate may receive hospice services from an entity licensed pursuant to section 57D of chapter 111; provided that the Commissioner or Sheriff shall order the return of the inmate to the correctional facility if at any time the physician or director of medical services subsequently determines that the inmate does not have a terminal medical condition, or that care outside the correctional facility is not medically appropriate."
The amendment was *rejected*.

Ms. Creem and Mr. Eldridge moved that the proposed new text be amended by inserting after section __, the following three new sections:-
"SECTION __. The first paragraph of paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws, as amended by chapter 27 of the acts of 2009, is hereby further amended by striking the following:- 'magistrate.' and replacing it with the following:- 'magistrate; provided, however, that the fee shall be waived or refunded if the hearing results in a ruling that the violator is not responsible'.
SECTION __. Subsection (a) of section 13 of chapter 6C of the General Laws is hereby amended by inserting at the end thereof the following new sentence:- Upon the completion of a successful appeal, violation administrative fees shall be refunded.
SECTION __. Subsection (b) of section 13 of Chapter 6C of the General Laws is hereby amended by inserting at the end thereof the following new sentence:- Upon the completion of a successful appeal, violation administrative fees shall be refunded."
The amendment was *rejected*.

Messrs. Brownsberger and Eldridge, Ms. Spilka, Messrs. DiDomenico and Wolf, Ms. Jehlen, Messrs. Lewis, Barrett and Joyce moved that the proposed new text be amended by inserting after section 81, the following 4 new sections:-
"SECTION 81A. Section 1 of chapter 185C of the General Laws, as so appearing, is hereby amended by striking out, in line 13, the word 'Bristol' and inserting in place thereof the following words:- Barnstable, Nantucket, Dukes, Bristol.
SECTION 81B. Section 8 of said chapter 185C, as so appearing, is hereby amended by striking out, in line 3, the word 'two' and inserting in place thereof the following figure:- 3.
SECTION 81C. Section 1 of chapter 211B of the General Laws, as so appearing, is hereby amended by striking out, in line 7, the figure '378' and inserting in place thereof the following figure:- 379.
SECTION 81D. Section 2 of said chapter 211B, as so appearing, is hereby amended by striking out, in line 2, the figure '10' and inserting in place thereof the following figure:- 11." ; and
By inserting after section 131 the following section:-
"SECTION 131A. Sections 81A to 81D, inclusive, shall take effect on July 1, 2015."
After remarks, the amendment was **adopted.**

Ms. Creem moved that the proposed new text be amended by inserting after section __, the following three new sections:-
"SECTION __. Subsection (a) of section 3-715 of chapter 190B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-
(28) gain reasonable access to the contents of an electronic mail account of the decedent upon receipt by the electronic mail service provider of: (i) a notarized written request for such access made by the personal representative, accompanied by a copy of the death certificate and a certified copy of the letter of appointment as personal representative; or (ii) an order of the probate court that has jurisdiction over the estate of the decedent. The electronic mail service provider shall provide access to the requested records within 60 days of receipt of the request. Failure of the provider to comply within said 60 days shall be a violation of this paragraph, entitling the requestor to apply for an appropriate order of the court directing compliance.This paragraph shall supersede provisions in the electronic mail service provider's contractual limitations, terms and conditions or privacy policy; provided, however, that access to the contents of an electronic mail account shall not be provided if the provider shows, by clear and convincing evidence, that it offered opt-out language, separate and distinct from the standard agreement or terms of service, whereby the decedent affirmatively declined to have the decedent's electronic mail account released after death. This paragraph shall not supersede language in the decedent's will to the contrary. For purposes of this paragraph, the following words shall, unless the context otherwise requires, have the following meanings:
'Electronic mail account', all electronic mail sent, received or created by an end-user of electronic mail services provided by an electronic mail service provider that is stored or recorded by the provider in the regular course of such services and any other electronic information stored or recorded by such provider that is directly related to the electronic mail services provided to the end-user by such provider, including, but not limited to, billing and payment information; provided, however, that this definition shall not apply to accounts created, administered, or hosted by an employer for an employee and intended to be used for professional purposes.

‘Electronic mail service provider’, any person who is an intermediary in sending or receiving electronic mail and who provides to end-users of electronic mail services the ability to send or receive electronic mail.
SECTION __. Said section 3-715 of said chapter 190B, as appearing, is hereby further amended by striking out subsection (b) and inserting in place thereof the following subsection:-
(b) Except as restricted or otherwise provided by the will or by an order in a formal proceeding and subject to the priorities stated in section 3-902, a special personal representative acting reasonably for the benefit of the interested persons, may properly exercise only those powers set forth in subsections (1), (2), (3), (5), (7), (12), (15), (18), (19), (20), (21), (22), (24), (26) and (28) of paragraph (a).
SECTION __. Paragraph (28) of subsection (a) and subsection (b) of section 3-715 of chapter 190B of the General Laws shall apply to: (i) all electronic mail accounts existing on or after October 1, 2015; and (ii) all instances in which the electronic mail account contents have been preserved by the electronic mail service provider as of October 1, 2015.”
After remarks, the amendment was **adopted.**

Ms. Creem, Ms. Spilka, Mr. DiDomenico and Ms. Jehlen moved that the proposed new text be amended by inserting after section __, the following three new sections:-
SECTION __. Section 150 of Chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding in line 21 after the words ‘159C’ the following:- ‘, 190’.
SECTION __. Chapter 149 of the General Laws is hereby amended by adding the following section:-
Section 190. It shall be unlawful for any employer to:
(a) require, request, suggest, or cause an employee or applicant to disclose a user name, password or any other means for access, or provide access through a user name or password, to a personal social media account or service;
(b) compel an employee or applicant, as a condition of employment or consideration for employment, to add anyone, including the employer or their agent, to the employee or applicant’s list of contacts associated with a personal social media account or service; or
(c) take or threaten any adverse action against an employee or applicant for refusing to disclose any information specified in clause (a) of this section or for refusing to add the employer to a list of contacts associated with a social media account or service, as specified in clause (b) of this section.
(d) For the purposes of this section, ‘Social media’ means an electronic medium allowing users to create, share, and view user-generated content, including, but not limited to, uploading or downloading videos or still photographs, blogs, video blogs, podcasts, messages, e-mails, or Internet Web site profiles or locations.
(e) This section shall not apply to: (1) any social media account or service opened for or provided by an employer and intended solely for professional purposes; or (2) information about an employee or applicant that is publicly available. Nothing in this act shall be construed to prevent an employer from complying with the requirements of State or federal statutes, rules of regulations, case law or rules of self-regulatory organizations as defined in section 3(a)(26) of the Securities Exchange Act of 1934, as amended.
(f) Nothing in this section shall limit an employer’s right to promulgate and maintain lawful workplace policies governing the use of the employer’s electronic equipment, including policies regarding use of the internet, email, or social media.
SECTION __. Chapter 71 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 93 the following new section:-
Section 94. It shall be unlawful for any public or private institution providing elementary, secondary, or higher education to:
(a) require, request, suggest, or cause a student or applicant to disclose a user name, password or any other means for access, or provide access through a user name or password, to a personal social media account or service;
(b) compel a student or applicant, as a condition of acceptance or participation in curricular or extracurricular activities, to add anyone, including a coach, teacher, school administrator, or other school employee or school volunteer, to the student or applicant’s list of contacts associated with a personal social media account or service; or
(c) take or threaten any adverse action against a student or applicant, including restraining his or her participation in extracurricular activities, for refusing to disclose any information specified in clause (a) of this section or for refusing to add a coach, teacher, school administrator, or other school employee or school volunteer to a list of contacts associated with a social media account or service, as specified in clause (b) of this section.
(d) For the purposes of this section, ‘Social media’ means an electronic medium allowing users to create, share, and view user-generated content, including, but not limited to, uploading or downloading videos or still photographs, blogs, video blogs, podcasts, messages, e-mails, or Internet Web site profiles or locations.
(e) This section shall not apply to: (1) any social media account or service opened for or provided by an educational institution and intended solely for educational purposes; or (2) information about an employee or applicant that ispublicly available.
(f) Nothing in this section shall limit an educational institution’s right to promulgate and maintain lawful policies governing the use of the educational institution’s electronic equipment, including policies regarding use of the internet, email, or social media.
(g) Any aggrieved student or prospective student may institute a civil action for damages or to restrain any violation of this section and shall be entitled to recover liquidated damages computed at the rate of $1000 per improper request under subsection (a) or (b) or any adverse action is found under subsection (c) or actual damages, whichever amount is higher; punitive damages when a willful violation is found; and reasonable attorneys’ fees and other litigation costs reasonably incurred.”
After remarks, the amendment was **adopted.**

Mr. Brownsberger and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8950-0001, by striking out the figures “18,069,188”and inserting in place thereof the figures “$18,469,188”.
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. Forry, Ms. Candaras, Messrs. Montigny, DiDomenico and Barrett and Ms. Spilka moved that the proposed new text be amended in section 2, in item 0940-0100, by striking out the figure “2,457,846” and inserting in place thereof the following figure:- “2,857,846”.
After remarks, the amendment was **adopted.**

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section__, the following new sections:-
“SECTION__. Section 3 of chapter 22E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the section in its entirety and inserting in place thereof following section: -
(a) Any person who is convicted of an offense that is punishable by imprisonment in the state prison and any person adjudicated a youthful offender by reason of an offense that would be punishable by imprisonment in the state prison if committed by an adult shall submit a DNA sample to the department.
(b) Any person who is arrested by virtue of process, or is taken into custody by an officer and charged with the commission of: (i) an offense listed in clause (i) of subsection (b) of section 25 of chapter 279; or (ii) section 17 or section 18 of chapter 266, and who upon arrest has been arraigned pursuant to the applicable court rules under the Massachusetts Rules of Criminal Procedure, shall submit a DNA sample to the department.
(c) The trial court and probation department shall work in conjunction with the director to establish and implement a system for the electronic notification to the department whenever a person is required to submit a DNA sample under this section. The sample shall be collected by a person authorized under section 4 of this chapter subsequent to arraignment, in accordance with regulations or procedures established by the director. The results of such sample shall be made part of the state DNA database.
SECTION__. Section 11 of chapter 22E of the General Laws, as most recently amended by chapter 192 of the acts of 2012, is hereby further amended by striking the section in its entirety and inserting in place thereof the following section:-
Any person required to provide a DNA sample pursuant to this chapter and who fails to provide such DNA sample shall be subject to punishment by a fine of not more than $2,000 or imprisonment in a jail or house of correction for not more than six months, or both.
SECTION__. Section 12 of chapter 22E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in line 6, by striking out the figure ‘$1,000’ and inserting in place thereof the following figure:- ‘$2,000’; and further, in line 7, by striking out the words ‘six months’ and inserting in place thereof the following:- 1 year.
SECTION__. Section 13 of chapter 22E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking, in line 4, the figure ‘$1,000’ and inserting in place thereof the following figure:- ‘$2,000’; and further, in line 5, by striking the words ‘six months’ and inserting in place thereof the following:- 1 year.
SECTION__. Section 15 of chapter 22E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following subsections:-
(b) The department shall destroy the DNA sample and any records of a person related to the sample that were taken in connection with a particular alleged designated crime if the sample was collected post-arraignment under subsection (b) of section 3, and any of the following occurs: the felony charge which required the DNA sample is downgraded to a misdemeanor by the prosecuting attorney upon a plea agreement or the person is convicted of a lesser offense that is a misdemeanor other than one constituting abuse as defined in section 1 of chapter 209A or a sex offense for which registration is required pursuant to sections 178C to 178P of chapter 6; (ii) the person is acquitted after a trial of the charges which required the taking of the DNA sample; or (iii) the charges which required the taking of the DNA sample are dismissed by either the court or the state after arraignment unless good cause is shown why the sample should not be destroyed.
(c) If the person has more than one entry in the state DNA database, CODIS, or the state DNA data bank, only the entry related to the dismissed case shall be deleted.
(d) The trial court and probation department shall work in conjunction with the director to establish and implement a system for the electronic notification to the department whenever a DNA sample is required to be destroyed pursuant to this section. The department shall notify the person upon destroying the DNA sample and completing its responsibilities under this subsection.
(e) If a DNA sample is matched to another DNA sample during the course of a criminal investigation, the record of the match shall not be expunged even if the sample itself is expunged in accordance with the provisions of this section.”
The amendment was *rejected*.

Suspension of Senate Rule 38A.
Mr. Brewer moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 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.
Messrs. Tarr, Hedlund and Humason moved that the proposed new text be amended by striking section 27 in its entirety and in inserting in place thereof the following new sections:-
“SECTION XX. Section 28 of Chapter 7 of the General Laws as appearing in the 2012 Official Edition is hereby amended in line 24 by inserting after the word ‘meals’ the following words:- lodging, entertainment, airfare and other travel expenses
SECTION XX. Section 28 of said Chapter 7 is hereby amended in line 26 by inserting after the word ‘thereof’ the following words:- or at the expense of any fund created by the commonwealth

SECTION XX. Section 28 of said Chapter 7 is hereby amended in line 27 by striking out the following words:- which receive state appropriations.
SECTION XX. Section 29 of said Chapter 7 is hereby amended by striking lines 71-75 in their entirety."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at six o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 34)* **[Yeas and Nays No. 323]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. − **5.**
Pacheco, Marc R.	

NAYS.

Barrett, Michael J.	Keenan, John F.
Brewer, Stephen M.	Kennedy, Thomas P.
Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.

Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. − **34.**

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

Recess.

There being no objection, at five minutes past six o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at a quarter past seven o'clock P.M., the Senate reassembled, the President in the Chair.

Orders of the Day.

The Orders of the Day were considered as follows:
The House Bill making appropriations for the fiscal year 2015 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. Rodrigues, Tarr and Ross moved that the proposed new text be amended in section 2, in item 7003-0200, by inserting at the end thereof the following:- "; provided further, that collective bargaining agreements or understandings in a written agreement between a labor organization or organizations, as defined in subsection (5) of section 2 of chapter 150A, and an employer or employers or association or group of employers, dealing with rates of pay, wages, hours or other terms and conditions of employment of any employee or employees for the purpose of determining wages paid to mechanics and apprentices, teamsters, chauffeurs and laborers in the construction of public works as established under section 26 of chapter 149 of the general laws, shall be made available by the commissioner through the website of the department".
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 2, in item 1232-0100, by striking the figure "$14,000,000" and inserting in place thereof the following figure:- "$24,000,000".
The amendment was *rejected*.

Messrs. Pacheco and McGee moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION ___. Section 5 of chapter 32A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out in lines 1, 2, 24 and 25, the word 'five', and inserting in place thereof, in each instance, the word:- ten.
SECTION ___. Section 6 of said chapter 32A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The amount of group life insurance on each employee shall be ten thousand dollars, and the amount of group accidental death and dismemberment insurance on each employee shall be ten thousand dollars, except that those employees desiring to elect optional coverage in excess of ten thousand dollars group life insurance and ten thousand dollars group accidental death and dismemberment insurance may do so as provided in section ten A.
SECTION ___. The first paragraph of section 10 of said chapter 32A, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- The commission shall require that, upon retirement of an employee, the policy or policies of insurance as set forth in section six, except the optional group life insurance referred to therein, shall provide that the ten thousand dollars of group life insurance, the ten thousand dollars of group accidental death and dismemberment insurance and the group general or blanket insurance providing hospital, surgical, medical, dental and other health insurance, as provided under sections five and ten C, as may be applicable, shall be continued, provided said retiree makes application to the commission on a form prescribed by the rules and regulations of the commission."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following section:-
"SECTION __. Section 12 of Chapter 22 of the General Laws is hereby amended by adding at the end thereof the following:- Each commissioner shall be deemed an employee of the Commonwealth shall be compensated at the rate of not less than $5,000 per year."
The amendment was *rejected*.

Messrs. Rodrigues and Tarr moved that the proposed new text be amended in section 2, in item 0526-0100, by inserting at the end thereof the following:- "; provided, that beginning on January 1, 2015, the commission shall publish, at least twice per month: (i) a summary or copy of the notices submitted pursuant to section 27C of chapter 9 of the general laws, including but not limited to, a summary or copy of each determination made by the commission regarding whether a project that is the subject of such notice will have any adverse effect, and a summary or copy of any commission recommendations regarding measures to eliminate, minimize, or mitigate adverse effects of such project; and (ii) a listing of any application to the commission for, and any certification made by the commission regarding, eligibility for and/or award of an historic rehabilitation tax credit under section 6J of chapter 62 or section 38R of chapter 63 of the General Laws; and provided further, that the publication shall be available on the website of the commission in such form as is reasonably suited to informing all interested agencies and persons of such notices, applications, determinations, recommendations, and certifications, and shall indicate the manner in which the full text of any notice, application, determination, recommendations, or certifications may be obtained by such agencies or persons"; and by striking out the figure "$816,000" and inserting in place thereof the figure:- "$916,000".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended by inserting the following new section:-
"SECTION XX: Section 100A of chapter 32 of the General Laws is hereby amended by inserting after the words 'correction officer' in line 19, as appearing in the 2012 Official Edition, the words 'and Department of Public Works employee'.
This section shall take effect as of January 1, 2014."
The amendment was *rejected*.

Messrs. Joyce and Michael O. Moore moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Sections 99 and 107 of chapter 28 of the acts of 2009 are hereby repealed."
The amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended by inserting after section 44, the following 2 sections:-
"SECTION 44A. Chapter 40 of the General Laws is hereby amended by striking out section 49, as so appearing, and inserting in place thereof the following section:-
Section 49. Before the annual town meeting the selectmen shall, at the expense of the town, make available the annual town report for the use of the inhabitants containing: (i) the report of the selectmen for the calendar or fiscal year preceding the meeting; (ii) the report of the school committee; (iii) statements in tabulated form prepared under section 60 of chapter 41 unless otherwise made available as provided in said section 60 of said chapter 41; (iv) the annual report of the town accountant for the preceding fiscal year as provided in section 61 of said chapter 41; (v) the annual report of the town treasurer as provided in section 35 of said chapter 41; (vi) except as otherwise provided by vote or by-law of the town, of such other officers and boards as consider it expedient to make a report, the jury list as required by chapter 234; and (vii) other matters as the law or the town by vote or by-law requires or as the selectmen consider expedient. If the selectmen neglect or refuse to make the annual report available, the selectmen shall severally forfeit $50.
A town may by by-law provide fiscal year reports as it considers suitable within 90 days of the close of the fiscal year. A copy of the fiscal year reports shall be transmitted by the town clerk to the state library before November 1. A town may also by by-law provide all reports of town officers and boards, committees and commissions on a fiscal year basis in place of the calendar year report required by this section.
SECTION 44B. Chapter 44 of the General Laws is hereby amended by inserting after section 44 the following section:-
Section 44A. (a) Each city and town shall annually provide an official electronic copy of its current annual operating budget to the division of local services in the department of revenue.
(b) The division shall post the current annual operating budget for each city and town on its website.
(c) The division shall promulgate regulations as necessary to carry out this section.".
After remarks, the amendment was **adopted.**

Mr. Keenan, Ms. Creem and Mr. Barrett moved that the proposed new text be amended in section 2, in item 0950-0080, by striking out the figure "$35,000" and inserting in place thereof the following figure:- "$50,000".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the office of campaign and political finance shall treat groups or organizations that make only contributions or independent expenditures, but does not solicit or receive funds for any political purpose, the same as any other political committee under chapter 55 of the General Laws."
The amendment was *rejected*.

Mr. Michael O. Moore and Ms. Chandler moved that the proposed new text be amended in section 2, in item 0540-2100, by striking out the figure "$2,233,096" and inserting in place thereof the following figure:- "$2,479,263".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 1599-3384, by adding at the end thereof the following:- “provided that $2,100,000 be expended for the purpose of victim assistance to be paid to the estate of the plaintiff in the case of Davis v. Rennie, civil action NO. 96-cv-11598MEL”; and by striking out the figure “$4,055,000” and inserting in place thereof the figure “6,155,000”.
The amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 8910-0102, by striking out the figure “$69,636,704” and inserting in place thereof the following figure:- “$70,841,233”.
After remarks, the amendment was *rejected*.

Ms. Candaras moved that the proposed new text be amended in section 2, in item 1120-4005, by striking out the figure “$856,240” and inserting in place thereof the figure:- “$896,240”.
The amendment was *rejected*.

Messrs. Pacheco, Eldridge and Michael O. Moore moved that the proposed new text be amended by inserting after section ____, the following section:-
“SECTION 79A. Chapter 149 of the General Laws is hereby amended by inserting after section 6 the following section:-
Section 6½. (a) This section shall apply to places of employment subject to section 28 of chapter 7. The department and the personnel administrator, after consulting the advisory board established by subsection (b), shall jointly adopt regulations that shall provide at least the level of protection to employees as is provided under the federal Occupational Safety and Health Act, 29 U.S.C. §§ 651 et seq., including standards and the provisions of the General Duty clause, 29 U.S.C. § 654. In the absence of a state regulation, the department shall apply the applicable provisions of that act.
(b) The governor shall appoint an occupational health and safety hazard advisory board to evaluate injury and illness data, recommend training and implementation of safety and health measures, monitor the effectiveness of safety and health programs and determine where additional resources are needed to protect the safety and health of employees of the commonwealth. The board shall consist of: (i) the secretary of labor and workforce development or a designee, who shall serve as the co-chair; (ii) the personnel administrator or a designee, who shall serve as co-chair; (iii) the director of the department of labor standards or a designee; (iv) the secretary of administration and finance or a designee; (v) the director of employee relations or a designee; (vi) the commissioner of public health or a designee; (vii) the director of industrial accidents or a designee; (viii) 4 representatives from labor unions representing the commonwealth employees; (ix) 1 representative from a community-based health and safety advocacy organization; and (x) 1 member of the faculty of the department of work environment at the University of Massachusetts at Lowell.
(c) The attorney general may bring a civil action for declaratory or injunctive relief to enforce this section.”
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-eight minutes past seven o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 39 — nays 0)* **[Yeas and Nays No. 324]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	O'Connor Ives, Kathleen

Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. **- 39.**
Keenan, John F.	

NAYS − 0.

The yeas and nays having been completed at twenty-eight minutes before eight o'clock P.M., the amendment was **adopted.**

Ms. Candaras moved that the proposed new text be amended by adding the following new section at the end thereof:-
"SECTION XX. Section 17 of chapter 37 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the second paragraph and inserting in place thereof the following paragraph:-
The Sheriffs of the counties of Barnstable, Bristol, Norfolk, Plymouth and Suffolk and of the former counties of Berkshire, Essex, Franklin, Hampden, Hampshire, Middlesex and Worcester shall each receive a salary equal to 95 per cent of the salary of the associate justice of the trial court. The sheriff of the county of Dukes shall receive a salary equal to 75 per cent of the salary of an associate justice of the trial court. The sheriff of the county of Nantucket shall receive a salary equal to 60 percent of an associate justice of the trial court."
The amendment was *rejected*.

Mr. Rush, Ms. Forry and Messrs. Brownsberger and DiDomenico moved that the proposed new text be amended in section 2, in item 7000-9401, in line 16, by striking out the word "38.3" and inserting in place thereof the word "40.7"; and by striking out the figures "$9,723,978" and inserting in place thereof the following figures:- "$9,883,482".
After remarks, the amendment was **adopted.**

Mr. Kennedy moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Notwithstanding any general or special law to the contrary, the Secretary of the Commonwealth may, as he deems necessary for the orderly administration of elections, print separate ballots containing federal offices only for the September 9, 2014 and November 4, 2014 state elections to ensure compliance with federal law."
After remarks, the amendment was **adopted.**

Mr. Kennedy moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION ____. Chapter 54 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 91B, the following section:
Section 91C. (a) Upon receipt of a properly executed application for an absentee ballot from a UOCAVA voter, a town or city clerk shall retain the application and, without delay enter the application in the voter registration information system.
(b) Within 24 hours of receiving the absentee ballots or ballot file from the state secretary's office, the city or town clerk shall transmit such ballot to all UOCAVA voters for whom an application was received in accordance with paragraph (a) above and shall enter the date of transmission into the voter registration information system forthwith.
(c) If a request for an absentee ballot is received from a UOCAVA voter 45 or more days before a federal election, the city or town clerk shall send the ballot and instructions to the applicant no later than the day 45 days prior to the federal election using either mail or electronic transmission, as requested by the voter.
d) If a request for an absentee ballot is received from a UOCAVA voter less than 45 days before a federal election, the city or town clerk shall send the ballot and instructions without delay using either mail or electronic transmission, as requested by the voter.
(e) If a request for an absentee ballot is received from a UOCAVA voter 45 or more days before a federal election and the secretary has determined that the city or town clerk is unwilling or unable to transmit the ballot at least 45 days before the election, the state secretary may, on behalf of the city or town clerk, after notice to the city or town clerk and in accordance with the voter's choice, electronically transmit or mail the appropriate absentee ballot and instructions to the voter no later than the day 45 days prior to the federal election.
The state secretary shall enter in the voter registration information system the transmission date on which absentee voters were sent ballots by the secretary pursuant to this paragraph.
SECTION 2. The secretary may promulgate regulations to carry out this legislation."
The amendment was **adopted.**

Messrs. Keenan, Rush and Hedlund, Ms. Candaras and Messrs. Ross, Pacheco, Tarr, Montigny and Michael O. Moore moved that the proposed new text be amended by inserting after section 49, the following 4 sections:-
"SECTION 49A. Section 1 of chapter 60A of the General Laws, as so appearing, is hereby amended by inserting after the word 'by', in lines 83, 88, 95, 102, 132 and 140, in each instance the following words:- or leased to.
SECTION 49B. Said section 1 of said chapter 60A, as so appearing, is hereby further amended by inserting after the word 'to', in lines 112 and 114, in each instance, the following words:- or leased to.
SECTION 49C. Said section 1 of said chapter 60A, as so appearing, is hereby further amended by inserting after the word 'for', in line 121, the following words:- or leased to.
SECTION 49D. Said section 1 of said chapter 60A, as so appearing, is hereby further amended by inserting after the word 'registered', in lines 151 and 156, in each instance the following words:- or leased."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty minutes before eight o'clock P.M., on motion of Mr. Keenan, as follows, to wit *(yeas 40 — nays 0)* **[Yeas and Nays No. 325]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese

Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. − **40.**

NAYS − 0.

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

Mr. Donnelly moved that the proposed new text be amended in section 2, in item 1110-1000, by adding at the end thereof the following: “provided that $100,000 shall be expended solely for contract hearing officers to hear older backlogged cases referred to the Division by the Contributory Retirement Appeal Board”; and by striking out the figures “$1,138,949” and inserting in place thereof the figures “$1,238,949”.
The amendment was **adopted.**

Mr. Donnelly moved that the proposed new text be amended by inserting after section ___, the following new sections:-
“SECTION __. Section 5(2)(e) of Chapter 32 of the General Laws, as most recently amended by Chapter 21 of the Acts of 2009, is hereby amended by striking said paragraph (e) and inserting in place thereof the following:-
(e) A person who has been a member of 2 or more systems and who, on or after January 1, 2010, has received regular compensation from 2 or more governmental units concurrently for greater than 60 days, shall, upon retirement, receive a superannuation retirement allowance to become effective on the date of retirement that is equal to the sum of the benefits calculated pursuant to this section as though the member were retiring solely from each system; provided however, that notwithstanding paragraph (c) of subdivision 8 of section 3, each system shall pay the superannuation retirement allowance attributable to membership in that system to the member; and provided further, that this section shall not apply to any member who has vested in 2 or more systems as of January 1, 2010, or to any position whose annual regular compensation was less than five thousand dollars. Section 3(7)(d) of this chapter shall not be applicable whenever the provisions of this paragraph are applicable. Any member who retires after the effective date shall only be considered a dual member if they meet the provisions of section 5(2)(e) as amended by the act.
This paragraph shall only apply to the five years of creditable service immediately preceding a member’s superannuation retirement under section 5 of this chapter.
This paragraph shall not apply to section 6 of this chapter.

SECTION __. Section __ shall become effective upon passage. Any member who retires after the effective date shall only be considered a dual member if they meet the provisions of section 5(2)(e) as amended by the act."
After remarks, the amendment was **adopted.**

Mr. Donnelly and Ms. O'Connor Ives moved that the proposed new text be amended by inserting after item 7000-9506, the following item:
"xxxx-xxxx For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall be established as a public-private partnership charged with the development, support and promotion of cultural programming designed to advance the cause of books and reading and enhance the outreach potential of public libraries within the commonwealth…….$125,000".
The amendment was *rejected*.

Messrs. Donnelly, Wolf, Michael O. Moore, DiDomenico, McGee and Barrett moved that the proposed new text be amended by inserting after section XX, the following new section:-
"SECTION XX. Section 2WWW of chapter 29 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking subsection (d) beginning at line 60and inserting in place thereof the following new subsection (d):-
(d) There shall be credited to the fund amounts as described below:
(i) an amount equal to 0.3% of the total revenue from taxes paid under chapter 63; and,
(ii) any revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, and any gifts, grants, private contributions, investment income earned on the fund's assets and all other sources. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund."
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Section 100A of Chapter 32, as amended by Section 3 of Chapter 70 of the Acts of 2014, is hereby amended by deleting the following word, in lines 8, 12, 23, 25, 26, and 28, as appearing in the 2012 Official Edition of the General Laws:- 'safety'; and by adding after the words 'correction officer' in line 19, as so appearing, the following:- ', any employee as defined in Section 1 of Chapter 32 of the General Laws, and any person in the employ of the Massachusetts Bay Transportation Authority'."
The amendment was *rejected*.

Ms. Donoghue, Mr. Michael O. Moore, Ms. Lovely and Messrs. Downing and McGee moved that the proposed new text be amended by striking out section 26.
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 0640-0300, by inserting after the words "General Fund" the following words:- "; provided further that not less than $50,000 shall be expended to Stone Soul Inc., so-called in Springfield to the implementation of the Stone Soul Annual Community Festival and cultural activities in Springfield".
The amendment was *rejected*.

Ms. Donoghue, Ms. Candaras and Messrs. Kennedy, McGee and Pacheco moved that the proposed new text be amended by inserting after section 10, the following section:-
"SECTION 10A. Section 31 of chapter 9 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 9 and 11, in each instance, the figure '2016' and inserting in place thereof the following figure:- 2020."; and
By inserting after section 44 the following section:-
"SECTION 44A. Section 41 of chapter 36 of the General Laws, as so appearing, is hereby amended by striking out in lines 9 and 11, in each instance, the figure '2016' and inserting in place thereof the following figure:- 2020."
After remarks, the amendment was **adopted.**

Ms. Spilka and Mr. Lewis moved that the proposed new text be amended by inserting after section __, the following new section:-
"Chapter 176O of the General Laws is hereby amended by striking out section 27 and inserting in place thereof the following:-
Section 27. (a) The division shall develop a common summary of payments form to be used by all health care payers in the commonwealth that is provided to health care consumers with respect to provider claims submitted to a payer and written in an easily readable and understandable format showing the consumer's responsibility, if any, for payment of any portion of a health care provider claim; provided that the division shall allow the development of forms to be exchanged through electronic means. The division shall consult with stakeholders to develop these forms.
(b) Carriers shall issue common summary of payments forms at the member level for all insureds. Carriers shall permit an insured to choose his or her preferred method of receiving the common summary of payments form, which shall include, but not be limited to, the following: (1) sending the form to the address of the subscriber; (2) sending the form to the address of the insured dependent; (3) sending the form to an alternate address upon request of the insured; or (4) sending the form through

electronic means when available. The preferred method of receipt shall be valid until the insured submits a new preferred method.
(c) Unless specifically requested by the insured, a carrier shall not provide a common summary of payments form if the insured has no liability for payment for any procedure or service, including, but not limited to, the United States Preventive Services Taskforce recommended A and B preventive services.
(d) Carriers shall not specifically identify the diagnostic descriptions for sensitive health care services in a common summary of payment form. The division shall define by regulation sensitive health care services for purposes of this section. The division shall refer to the National Committee on Vital and Health Statistics and similar regulations in other states, and shall consult with experts in fields including, but not limited to, infectious disease, reproductive and sexual health, domestic violence and sexual assault, and mental health and substance use disorders, in promulgating the definition.
(e) Upon the request of an insured, the carrier shall not issue a common summary of payments form. The request may be made either orally or by written communication. Carriers shall not require an explanation as to the basis for an insured's request.
(f) The availability of an insured to make a request that a summary of payment form not be issued pursuant to subsection (e) shall be communicated in plain language and in a clear and conspicuous manner to all insureds, including insured dependents, in evidence of coverage documents, member privacy communications and on every summary of payments form. The request shall be valid until the insured submits a revocation of the request.
(g) The division shall promulgate regulations necessary to implement this section."
The amendment was *rejected*.

Ms. O'Connor Ives and Ms. Candaras moved that the proposed new text be amended in section 2, in item 0540-0900 by striking out the figure "$1,100,574" and inserting in place thereof the figure:- "$1,200,574".
After remarks, the amendment was *rejected*.

Ms. Lovely, Ms. O'Connor Ives and Messrs. McGee and Tarr moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Chapter 463 of the acts of 2004 as amended by Chapter 95 of the acts of 2014 is hereby amended by striking out the first sentence in section 13A and inserting in place thereof the following sentence:- Employees of the district shall become members of the city of Salem contributory retirement system, except any employee who is employed by the district as a teacher as defined in section 1 of chapter 32 of the General Laws shall be members of the Massachusetts teachers retirement system under chapter 32."
After remarks, the amendment was **adopted.**

Messrs. Barrett and Rodrigues, Ms. O'Connor Ives, Ms. Lovely and Messrs. Tarr and Wolf moved that the proposed new text be amended in section 71, by striking out the words "A licensee" and inserting in place thereof the following words:- "Notwithstanding any law in this chapter to the contrary, a winegrower"; in said section, by striking out the word "provide" and inserting in place thereof the following words:- "sell, or provide without charge,"; and in said section, by striking out after the words "wine tastings" the following words:- ", without charge,".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended inserting after section ___, the following new section:-
"SECTION XXX. Chapter 30B of the General Laws is hereby amended in section16(c), subsections (1) and (2) thereof by striking the words 'twenty-five thousand' and inserting the words 'thirty-five thousand'; and in sections 4(a), 4(d), 5(a), 6(a), 6A(a), and 7(a) by striking the figures '$25,000' and inserting the figures '$35,000'."
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 0920-0300, by striking out the figure "$1,436,196" and inserting in place thereof the following figure:- "$1,486,196".
The amendment was **adopted.**

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended in section 2, in item 0810-0399, by inserting after the words "compensation insurance" the following words:- "and those who may seek to defraud the system".
After remarks, the amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, by inserting after item 1000-0001, the following item:
"1050-0140 For payments to cities and towns in accordance with chapter 23K of the General Laws; provided, that the Massachusetts gaming commission shall reimburse the General Fund for payments made under this item; provided further, that notwithstanding Chapter 23K of the General Laws, as appearing in the 2012 Official Edition, or any other general or special law to the contrary, in calendar year 2014, the Town of Plainville shall be included in the payments to cities and towns from the Massachusetts Gaming Commission……..…… $1,150,000".
The amendment was **adopted.**

Ms. O'Connor Ives and Mr. Tarr moved that the proposed new text be amended in section 2, in item 1599-0200, by striking the words "the closure of sheltered workshops and the transition" and inserting in place there of:- "the transition from sheltered

workshops".
The amendment was **adopted.**

Mr. Rush moved that the proposed new text be amended in section 2, in item 1599-0026, by adding at the end thereof the following: "provided further that not less than $500,000 shall be expended as a one-time grant to the Boston Art Commission for the sculpting and casting of a statue depicting Boston Marathon participants and volunteers, and provided further that the City of Boston shall designate an area suitable for the placement of said statue".
The amendment was *rejected*.

Ms. Jehlen, Mr. Keenan, Ms. Spilka and Messrs. Ross, Wolf and Hedlund moved that the proposed new text be amended in section 2, by inserting after item 0950-0080 the following item:-
"0950-0090 For the commission on the status of grandparents raising grandchildren under section 69 of chapter 3 of the General Laws …… $100,000".
The amendment was *rejected*.

Mr. Eldridge, Ms. Flanagan, Mr. DiDomenico, Ms. Spilka, Ms. Creem, Messrs. Wolf, Donnelly and Barrett, Ms. O'Connor Ives, Mr. Hedlund, Ms. Lovely, Messrs. Michael O. Moore, Lewis, Finegold, Joyce, Brownsberger, Kennedy and Downing, Ms. Donoghue and Mr. Pacheco moved that the proposed new text be amended in section 2, in item 1599-0026 by inserting after the figures "2010" the following:- "provided further, that not less than $2,800,000 shall be expended to fund the District Local Technical Assistance Fund, established in section 2XXX of chapter 29 of the General Laws, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund"; and by striking the figures "6,400,000" and inserting in place thereof the following figures:- "9,200,000".
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended in section 2, in item 0640-0300, by striking the phrase "and provided further, that a person employed under this item shall be considered an employee within the meaning of section 1 of chapter 150E of the General Laws and shall be placed in the appropriate bargaining unit".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 115 by inserting at the end thereof the following words:- "; and (iii) transfer $200,000 to the Massachusetts Technology Transfer Center established in section 45 of chapter 75 of the General Laws".
The amendment was *rejected*.

Mr. Richard T. Moore moved that the proposed new text be amended by inserting after section xx, the following new section:-
"SECTION XX. The state secretary, acting on behalf of the commonwealth, may sell, transfer or license the division of corporations software and related documents pertaining to its web based searching and filing applications, including the business entity and uniform commercial code software, developed by the department of the secretary and copyrighted by it to other states, multi-state or regional associations or other sovereign governments on such terms and conditions as in his sole discretion reasonably compensates the commonwealth for its interests. The secretary may retain and expend (50%) of the revenues collected from such sales, licensure or user agreements for technical activities of the corporations division, the remainder of the proceeds (50%) to be deposited into the General Fund. The secretary may provide webhosting, and ongoing support and maintenance to other states, provinces or territories of Canada relative to their uniform commercial code and corporate applications. The department of the state secretary may accept credit and debit cards from individuals and corporations filing documents with the division."
After remarks, the amendment was **adopted.**

Mr. Richard T. Moore and Ms. Creem moved that the proposed new text be amended by inserting the text of Senate document numbered 2001, relative to sunset review.
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross, Humason and Michael O. Moore moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Chapter 11 of the General Laws as appearing in the 2012 Official Edition, is hereby amended by inserting after section 12 the following new section:-
Section 12A. The state auditor shall conduct an annual audit of credit cards issued on behalf of any state agency. The audit shall include, but not be limited to, the number of credit cards issued by each agency; an accounting of credit cards issued to agency employees, be they actively employed or formerly employed by the agency; and the aggregate monetary amount of credit card transactions per agency. The completed audit shall be filed with the clerks of the senate and the house of representatives no later than December 31.".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at three past eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 7 — nays 32)* **[Yeas and Nays No. 326]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. – **7.**
Moore, Richard T.	

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.

Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. − **32.**

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

Messrs. Rosenberg and Tarr moved that the proposed new text be amended by inserting after section 123, the following section:-
"SECTION 123A. There shall be a special advisory commission regarding the compensation of public officials identified in Article LXIV of the Articles of Amendment to the Constitution. The commission shall consist of 7 members: (i) 1 of whom shall have experience in human resources and represent an organization of employers in the commonwealth, to be appointed by the secretary of the commonwealth, (ii) 1 of whom shall represent a school of business administration located in the commonwealth, to be appointed by the state auditor, (iii) 2 of whom shall represent a membership-based public advocacy organization with experience in matters relating to government accountability, transparency and public integrity, 1 of whom shall represent a Massachusetts-based public policy research organization, and 1 of whom shall represent a tax payer advocacy organization in the commonwealth, all to be appointed by the governor and (iv) 1 of whom shall be the secretary of administration and finance of the commonwealth. One of the non-profit or private sector appointees shall be selected by the governor to serve as chair. The commission shall study compensation issues which shall include, but not be limited to: (1) a review of all forms of direct and indirect compensation of public officials identified in said Article LXIV, including base salaries, stipends, general expenses, per-diem allowances and any other form of compensation; (2) a state-by-state comparison of direct and indirect compensation of comparable public officials; (3) a comparison of direct and indirect compensation of the public officials with similar employment in the private sector in the commonwealth; and (4) an analysis of the methods of calculating median family income for the purpose of Article CXVIII of the Articles of Amendment to the Constitution. The commission shall submit a report, including drafts of any recommendations for legislation, on or before September 31, 2014. The comptroller shall provide the commission with all records of compensation requested by the commission.".
The amendment was **adopted.**

Mr. Timilty moved that the proposed new text be amended by inserting after section 132 the following new section:-
"SECTION X. Section 8 of chapter 150E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting the following sentence at the ended thereof:- Notwithstanding any general or special law to the contrary, grievance procedures provided for in collectively bargained contracts shall be adhered to unless otherwise agreed upon in writing by both parties."
After remarks, the amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by inserting after section___, the following section:-
"SECTION ___. Section 2A of Chapter 3 of the Acts of 2013 is amended by inserting after the words 'forthcoming quarter', the following:- 'provided further, the Secretary at the request of the Chief Medical Examiner, may transfer funds allocated hereunder to the Office of Chief Medical Examiner to be used to employ the services of other state agencies or private labs to reduce backlog of autopsies of unattended deaths requiring toxicology tests'."
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended in section 2, in item 1599-3553, by striking item 1599-3553 in its entirety.
After remarks, the amendment was *rejected*.

Ms. Creem, Mr. Eldridge, Ms. Chang-Diaz, Ms. Spilka, Messrs. Wolf and DiDomenico, Ms. Jehlen, Ms. Lovely and Messrs. Barrett, Donnelly and Hedlund moved that the proposed new text be amended by inserting after section 56, the following 16 sections:-
"SECTION 56A. Section 321 of chapter 94 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the definition of 'Beverage' and inserting in place thereof the following definition:-
'Beverage', soda water or similar carbonated soft drinks; beer and other malt beverages; noncarbonated soft drinks including, but not limited to, mineral water, flavored and unflavored water, spring water, fruit drinks that contain less than 10 per cent juice, sports drinks and other water beverages; coffee and coffee-based drinks; and all other nonalcoholic carbonated and noncarbonated drinks in liquid form intended for human consumption; provided, however, that 'beverage' shall not include milk and beverages that are primarily derived from dairy products, beverages containing a minimum of 10 per cent juice, infant formula and medicines approved by the United States Food and Drug Administration; and provided further, that 'beverage' shall not include wine or alcoholic beverages other than beer and malt beverages as defined in section 1 of chapter 138.
SECTION 56B. The definition of 'Beverage container' in said section 321 of said chapter 94, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- 'Beverage container' shall not include containers made of paper-based biodegradable material and aseptic multi-material packaging.
SECTION 56C. Said section 321 of said chapter 94, as so appearing, is hereby further amended by inserting after the definition

of ‘Plastic bottle’ the following 2 definitions:-
‘Redemption center’, a business, the primary purpose of which is the redemption of beverage containers and which is not ancillary to any other business.
‘Redemption facility’, a person or business who engages in the refund of deposits for beverage containers as described in this section.
SECTION 56D. Said section 321 of said chapter 94, as so appearing, is hereby further amended by adding the following definition:-
‘Small dealer’, a person or business, including an operator of a vending machine who engages in the sale of beverages in beverage containers to consumers, with a contiguous retail space of 3,000 square feet or less, exclusive of office and stockroom space, and fewer than 4 locations under the same ownership within the commonwealth.
SECTION 56E. Section 322 of said chapter 94, as so appearing, is hereby amended by adding the following 2 sentences:- The secretary of energy and environmental affairs shall review the refund value every 5 years and may increase that amount to reflect the consumer price index as reported by the United States Department of Labor, but the refund value shall not be less than 5 cents. The secretary shall promulgate regulations which establish the maximum acceptable container size.
SECTION 56F. Section 323 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 11 and 12, and in line 19, the words ‘one cent’ and inserting in place thereof, in each instance, the following words:- 3 and 1/2 cents.
SECTION 56G. Paragraph (c) of said section 323 of said chapter 94, as so appearing, is hereby amended by adding the following sentence:- The handling fee shall be reviewed and may be adjusted every 5 years by the secretary of energy and environmental affairs to reflect the consumer price index as reported by the United States Department of Labor and industry-specific increases or decreases in costs incurred by redemption facilities.
SECTION 56H. Paragraph (d) of said section 323 of said chapter 94, as so appearing, is hereby amended by adding the following sentence:- The handling fee shall be reviewed and may be adjusted every 5 years by the secretary of energy and environmental affairs to reflect the consumer price index as reported by the United States Department of Labor and industry-specific increases in costs incurred by redemption facilities.
SECTION 56I. Paragraph (e) of said section 323 of chapter 94, as so appearing, is hereby amended by adding the following sentence:- The executive office of energy and environmental affairs shall promulgate rules and regulations for the licensure of redemption centers and may set fees for such licensing.
SECTION 56J. Said section 323 of said chapter 94, as so appearing, is hereby further amended by inserting after the word ‘civil’, in line 73, the following words:- or administrative.
SECTION 56K. Paragraph (i) of said section 323 of said chapter 94, as so appearing, is hereby amended by adding the following sentence:- At each location where persons tender containers for redemption, dealers and redemption centers shall conspicuously display a sign in letters that are at least 1 inch in height with the following information: ‘WARNING: Any person who tenders to a dealer, distributor, redemption center or bottler more than 10 cases of 24 empty beverage containers each, which such person knows or has reason to know were not originally sold in the commonwealth as filled beverage containers, for the purpose of obtaining a refund value or handling fee shall be subject to a civil penalty of the greater of $100 for each container or $25,000 for each tender of containers, under Massachusetts General Laws, chapter 94’.
SECTION 56L. Section 323D of said chapter 94, as so appearing, is hereby amended by striking out, in lines 7 and 8, the words ‘Clean Environment Fund, established pursuant to section three hundred and twenty-three F’ and inserting in place thereof the following words:- General Fund.
SECTION 56M. Said section 323D of said chapter 94, as so appearing, is hereby further amended by adding the following paragraph:-
Notwithstanding the first paragraph, 100 per cent of amounts collected by the commissioner of revenue under this section that result from the sale of noncarbonated soft drinks including, but not limited to, mineral water, flavored and unflavored water, spring water, fruit drinks that contain less than 10 per cent juice, sports drinks and other water beverages, coffee and coffee-based drinks shall be deposited as follows: (i) 50 per cent to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B and (ii) 50 per cent to the Brownfields Redevelopment Fund established in section 29A of chapter 23G.
SECTION 56N. Section 326 of said chapter 94, as so appearing, is hereby amended by striking out, in lines 2 to 5, inclusive, the words ‘three hundred and twenty-one, three hundred and twenty-two, paragraphs (a) to (f), inclusive, of section three hundred and twenty-three, three hundred and twenty-three F, three hundred and twenty-four and three hundred and twenty-five’ and inserting in place thereof the following figures:- 321, 322, 324 and 325.
SECTION 56O. Section 327 of said chapter 94, as so appearing, is hereby amended by inserting after the word ‘civil’, in line 14, the words ‘or administrative’.
SECTION 56P. Said section 327 of said chapter 94, as so appearing, is hereby further amended by inserting after the first paragraph the following 2 paragraphs:-
The department of environmental protection may enforce section 323, section 323A, section 324 and section 325. A bottler, distributer, redemption center or dealer who violates any of the foregoing sections shall be subject to an administrative penalty for each violation of not more than $1,000.
The department of revenue may enforce paragraphs (g) and (h) of section 323 and sections 323B to 323E, inclusive. A bottler, distributor, redemption center or dealer who violates any of the foregoing sections shall be subject to an administrative penalty for each violation of not more than $1,000.”;
By inserting after section 123 the following section:-
“SECTION 123A. Notwithstanding any general or special law to the contrary, the secretary of energy and environmental affairs

shall, not later than January 1, 2015, promulgate regulations providing small dealers as defined in section 321 of chapter 94 of the General Laws with the right to seek exemptions from accepting empty deposit containers. The regulations shall consider at least the health and safety of the public, the convenience for the public, including standards governing distribution of centers by population or by distance or both, the size and storage capacity of the dealers to be served by the redemption center and the size and storage capacity of the redemption center. The order approving a local redemption center license shall state the dealers to be served and the kinds, sizes and brand names of empty beverage containers that the center accepts."; and
By inserting after section 131 the following section:-
SECTION 131A. Sections 56A to 56P, inclusive, shall take effect on April 22, 2015.
After remarks, the amendment was **adopted.**

Mr. Rush moved to amend the proposed new text by inserting after section 122, the following section:-
"SECTION 122A. (a) Notwithstanding any general or special law to the contrary, the division of capital asset management and maintenance may, on behalf of and in coordination with the department of conservation and recreation, enter into negotiations to execute a lease agreement, with 1235-1237 VFW Parkway LLC, the owner of the property located at 1235-1237 VFW parkway in the West Roxbury section of the city of Boston. The property to be leased by the division consists of approximately 19,781 square feet, or 0.45 acres, and is currently used as a parking lot. The lease shall be on such terms and conditions as may be determined by the division, in consultation with the department and subject to the requirements of this section.
(b) The division, on behalf of the department, may lease the property from the lessor for an original term of not more than 5 years and may provide an option to extend the lease term for 1 consecutive term of 5 years. No additional renewals shall be executed without the approval of the general court. Consideration for the lease shall be for not more than fair market value, as determined by an independent appraisal, and shall require that the property only be used as a parking lot, under the care and control of the department, to be used for public parking and increased access to Havey beach, Riverdale park, Rivermoor park, Millennium park or other nearby properties maintained by the department.
(c) At least 21 days prior to the execution of the lease by the division, the commissioner of capital asset management and maintenance shall file a copy of the lease with the inspector general and the clerks of the senate and house of representatives. The inspector general shall review the lease and file any comments and recommendations on the lease with the clerks of the house of representatives and the senate at least 10 days prior to the execution of the lease.
(d) The department shall have the right to renovate, repair or improve the property, subject to the this section. The lessor shall maintain any existing property or liability insurance in an amount and of a type sufficient to protect the commonwealth and its leasehold interest from any action arising from a claim against the property subject to the lease; provided, however, that the commissioner of capital asset management and maintenance, and the commissioner of conservation and recreation shall review and approve the terms of such insurance."
The amendment was **adopted.**

Messrs. Rodrigues and Tarr moved that the proposed new text be amended by inserting after section 85 the following section:-
"SECTION 85A. Section 10 of chapter 262 of the acts of 2012 is hereby amended by striking out the words 'January 1, 2014', as appearing in section 26 of chapter 118 of the acts of 2013, and inserting in place thereof the following words:- January 1, 2016; provided, however that regulations promulgated under section 7 to implement section 65A of chapter 128 of the General Laws shall be completed by January 1, 2015."
After remarks, the amendment was **adopted.**

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section ___, the following new sections:-
"SECTION XX. Section 138 of chapter 164 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the fourth paragraph and inserting, in the place thereof, the following paragraph:—
'Class I net metering credit', a credit equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the sum of the distribution company's: (i) default service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii) distribution kilowatt-hour charge; (iii) transmission kilowatt-hour charge; and (iv) transition kilowatt-hour charge; provided, however, that this shall not include the demand side management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of chapter 25; and provided further, a credit for a Class I net metering facility not using more than 50 percent of the facility's on site generation, as compared to the three (3) year average use on the site, shall be equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the monthly basic service price for the applicable rate class; and provided further, a credit for a Class I net metering facility that is not an agricultural net metering facility or is not using solar, anaerobic digestion or wind as its energy source, shall be the average monthly clearing price at the ISO-NE.
SECTION XX. Section 138 of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out the sixth paragraph and inserting, in the place thereof, the following paragraph:—
'Class II net metering credit', a credit equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the sum of the distribution company's: (i) default service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii) distribution kilowatt-hour charge; (iii) transmission kilowatt-hour charge; and (iv) transition kilowatt-hour charge; provided, however, that this shall not include the demand side management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of chapter 25; and provided, further, a credit for a Class II net metering facility not using more than 50 percent of the facility's on site generation, as compared to the three (3) year average use on the site, shall be equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the monthly basic service price for the applicable rate

class.
SECTION XX. Section 138 of chapter 164, as so appearing, is hereby amended by striking out the eighth paragraph and inserting, in the place thereof, the following paragraph:—
‘Class III net metering credit’, a credit equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the sum of the distribution company’s: (i) default service kilowatt-hour charge in the ISO-NE load zone where the customer is located; (ii) transmission kilowatt-hour charge; and (iii) transition kilowatt-hour charge; provided, however, that for a Class III net metering facility of a municipality or other governmental entity, the credit shall be equal to the excess kilowatt-hours multiplied by the sum of (i), (ii) and (iii) and the distribution kilowatt-hour charge; and provided further, that this shall not include the demand side management and renewable energy kilowatt-hour charges set forth in sections 19 and 20 of chapter 25; and provided, further, a credit for a Class III net metering facility not using more than 50 percent of the facility’s on site generation, as compared to the three (3) year average use on the site, shall be equal to the excess kilowatt-hours by time of use billing period, if applicable, multiplied by the monthly basic service price for the applicable rate class.”
After remarks, the amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 2800-0101, by inserting at the end thereof the following: “; provided further, that no more than $40,000 shall be expended from this item for the construction of drop inlet structures to reduce flooding in the Assonet neighborhood of the town of Freetown”; and by striking out the figure “$1,020,149” and inserting in place thereof the following figure:- “$1,060,149”.
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 2800-0700 by adding at the end thereof the following:- “provided that $22,000 shall be expended for a hydraulic analysis of the dam in Choate Park in the town of Medway”; and by striking out the figure “$372,865” and inserting in place thereof the figure “$394,865”.
The amendment was *rejected*.

Messrs. Pacheco and Eldridge moved that the proposed new text be amended in section 2, in item 2511-0100, by striking out the figures “$5,001,426” and inserting in place thereof the following figures:-- “$5,507,000”.
The amendment was *rejected*.

Messrs. Pacheco and Eldridge moved that the proposed new text be amended in section 2, in item 2260-8870, by striking the figures “13,873,654” and inserting in place thereof the following figures:-- “13,944,080”.
After remarks, the amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __ the following new section:-
“SECTION __. Section 104 of chapter 182 of the acts of 2008 is hereby amended in the third paragraph of subsection (a) by striking the words ‘General Fund’ and inserting in place thereof the following:- ‘Blue Hills Reservation Trust Fund in accordance with Section 34C of Chapter 92 of the General Laws’.”
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
“SECTION __. Section 105 of chapter 182 of the acts of 2008 is hereby amended in the third paragraph of subsection (a) by striking the words ‘General Fund’ and inserting in place thereof the following:- ‘Blue Hills Reservation Trust Fund in accordance with Section 34C of Chapter 92 of the General Laws’.”
The amendment was *rejected*.

Messrs. Joyce and Barrett moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting the following: “; provided further that $100,000 may be expended for the operations of the Blue Hills Observatory and Science Center”.
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
“SECTION __. (a) Chapter 92 of the General Laws, as appearing in the 2010 official edition, is hereby amended by inserting after section 34C the following section:-
Section 34D. Notwithstanding any general or special law or administrative bulletin to the contrary and pursuant to section 34, there is hereby established and set up on the books of the commonwealth a separate fund, to be known as the Borderland State Park Trust Fund, which shall be used for the purposes of advancing recreational, educational and conservation interests, including, but not limited to, the construction and maintenance of facilities and infrastructure improvements for the area within the reservation. The trust shall receive, hold and expend with the advice of the Borderland Advisory Council, all fees generated by parking, permits, licenses and all other agreements not currently being directed to the General Fund relating to the use of the park land as authorized by the commission. The department shall not make expenditures from this fund so as to cause the fund to be deficient.
(b) This law shall be commonly be referred to as ‘The William Hocking Law’

(c) This act shall take effect upon passage."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. (a) Subsection (a) of section 103 of chapter 182 of the acts of 2008 is hereby amended by striking out the first paragraph and inserting in place thereof the following:-
Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation, using such competitive proposal process as the division considers necessary or appropriate, may lease and enter into other agreements, for terms not to exceed 25 years with 1 or more operators, for the Ponkapoag Golf Course in the town of Canton so as to provide for the continued use, operation, maintenance, repair and improvement of the golf courses, practice greens, driving range, restaurant and any other structure and associated lands which constitute the facilities of the Ponkapoag Golf Course.
(b) Subsection (b) of said section 103 of said chapter 182 is hereby amended by striking out the first paragraph and inserting in place thereof the following:-
If no lease agreement is reached under subsection (a) before April 1, 2014, 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 recreational facilities operated by the responsive bidder or offeror in the last 4 years; (2) other facilities management or experience of the responsive bidder or offeror; (3) a senior citizens' and children's discount program; (4) reservation policies; (5) proposed reasonable rates that ensure continued public access; (6) required financial audits; (7) policies to encourage use of the golf course by persons of all races and nationalities; (8) safety and security plans; (9) seasonal opening and closing dates; (10) hours of operation; (11) holiday recognition; (12) grievance processes; (13) clubhouse license; (14) a provision that the facility shall be maintained as a 36-hole public golf course; (15) a provision that the lessee shall not construct facilities on the grounds of the golf course or any property appurtenant thereto; provided, however, that the lessee may construct facilities with the written approval of the commissioner of conservation and recreation and the majority vote of the board of selectmen in the town of Canton; and (16) a host community agreement between the designated operator and the town of Canton. Any increase in fees, including fees for season passes and club memberships, and any increase in charges for greens' fees or golf cart or club rentals shall be approved in writing by the commissioner of conservation and recreation; provided, however, that in considering any request for an increase in fees, the commissioner shall consider, without limitation: (i) any capital investment made by the contractor or lessee; (ii) the fees and charges at other public golf courses within reasonable proximity; and (iii) the length of time since the last fee increase."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. (a) Notwithstanding sections 40E to 40K, inclusive, and sections 52 to 55, inclusive, of chapter 7 of the General Laws or any other general or special law to the contrary, the division of capital asset management and maintenance, using the competitive proposal process the division considers necessary or appropriate, in consultation with the department of conservation and recreation, may lease and enter into other agreements with 1 or more persons or entities, for terms not to exceed 25 years, for the continued use, operation, maintenance, repair and improvement of all skating rinks owned by the department not currently under a lease agreement, together with the land and appurtenances associated therewith.
(b) The failure of the city or town in which the rink is located to apply for prequalification under subsection (c) shall not prohibit that city or town from bidding under this section.
(c) Before the division, in consultation with the department, sends out a request for proposals under this section, the division shall hold open a prequalification period of 30 days for the city or town in which the rink is located and any nonprofit organization located within the city or town that desires to bid on the rink, or for a partnership of municipalities which share geographic boundaries as long as the subject rink is located within the geographic area of the municipalities comprising the partnership. The city or town, a nonprofit organization or a partnership of municipalities that desires to lease the rink under this section may submit materials for prequalification. The prequalification determination may consider, but shall not be limited to, the ability of the city or town, nonprofit organization or partnership to finance the capital improvements determined to be necessary at the rink by the division and to manage, operate and maintain the property. The division, in consultation with the department, shall determine whether the city or town, a nonprofit organization or a partnership is prequalified within 15 days of the expiration of the prequalification period. If the city, nonprofit organization or partnership is determined to be prequalified, then the city, nonprofit organization or partnership shall be awarded the lease for the skating rink under the terms and conditions set forth in this act; provided, however, that only 1 lease shall be awarded based on preference as described in subsection (d).
(d) (1) The city or town in which the rink is located shall be given a right of first refusal to lease the skating rink provided that the town meets the prequalification standards established by the department under subsection (c).
(2) If the city or town does not bid for the lease and a nonprofit organization and a partnership of municipalities are determined to be prequalified, the nonprofit organization shall be awarded the lease.
(3) If more than 1 nonprofit organization is determined to be prequalified, the department, in consultation with the city or town in which the rink is located, may choose to which nonprofit organization the lease for the rink shall be awarded.
(4) The city or town, a nonprofit organization or partnership awarded the lease under this act shall pay the sum of $1.00 as

consideration for the lease, subject to the required capital improvements, performance specifications and other prequalification requirements and terms of the division and submitted proposal. The length of the lease shall be determined between the division and the city or nonprofit organization.
(e) The lease and other agreements shall be on terms acceptable to the commissioner of capital asset management and maintenance, after consultation with the commissioner of conservation and recreation and, notwithstanding any general or special law to the contrary, shall provide for the lessees to operate, manage, improve, repair and maintain the property and to undertake initial capital improvements that the commissioners determine are necessary due to the structural condition of the property. The leases or other agreements requiring improvements to be made on the property may include a description of the initially required improvements and performance specifications.
(f) Ice time at the rink shall be allocated to user groups in the following order of priority: general public skating; nonprofit youth groups; high school hockey, not for profit schools or colleges; for-profit youth groups and adult organizations or informal groups. Ice time may be allocated at the discretion of the operator, but general public skating shall be booked, in 2-hour contiguous blocks at a minimum of 12 hours per week, with a range of times and days which reasonably allow for public skaters of all ages to participate in some public skating sessions. Every effort shall be made to balance the ice allocation needs of long-established youth organizations and newly-formed youth organizations in a manner that provides equal opportunity and equal access for youths of each gender.
(g) The leases and other agreements authorized in this section shall provide that any benefits to the community and the costs of improvements and repairs made to the property provided by the lessees or the recipients of the property shall be taken into account as part of the consideration for the lease or other agreements. Consideration received from the lease or other agreements for the rink shall be payable to the department of conservation and recreation for deposit into the General Fund. The lessees or the recipients of the property shall bear the costs considered necessary or appropriate by the commissioner of conservation and recreation for the transactions including, without limitation, costs for legal work, survey, title and the preparation of plans and specifications.
(h) The name of the skating rink shall not be altered or changed under any lease or other agreement entered into under this act."
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended in section 2, by inserting after item 7100-0207 the following item:
"For the Collaborative Institute for Oceans, Climate and Security at University of Massachusetts Boston to conduct hydrological and hydraulic modeling of flood water levels in sea level rise scenarios for the Charles River Basin and the Mystic River Basin to implement clause (iv) of subsection (b) of section 39 of chapter 52 of the acts of 2014…….…… $350,000".
The amendment was **adopted.**

Mr. Joyce moved that the proposed new text be amended in section 2, in item 2250-2000, by inserting the following:- "; provided further, that the Commonwealth shall match, on a 1:1 basis, the construction costs of a Department of Environmental Protection-mandated water treatment plant for the towns of Randolph, Braintree, and Holbrook".
The amendment was *rejected*.

Messrs. Downing, Lewis and Pacheco, Ms. O'Connor Ives, Ms. Donoghue and Messrs. Joyce and Barrett moved that the proposed new text be amended in section 2, in item 2260-8870, by striking out the figure "$13,873,654" and inserting in place thereof the following figure:- "$16,526,000".
The amendment was *rejected*.

Messrs. Timilty, Wolf, DiDomenico, Michael O. Moore, Pacheco and Barrett and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 2800-0501, by striking out the figure "$14,080,812" and inserting in place thereof the following figure:- "$14,651,600".
The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 2, in item 2330-0300, by adding at the end thereof the following:- "provided further that $50,000 shall be expended for the design and engineering cost for a canoe ramp at the Squantum Point Park in the City of Quincy"; and by striking out the figure "$1,290,766" and inserting in place thereof the figure "$1,340,766".
The amendment was *rejected*.

Messrs. Wolf and Montigny moved to amend the proposed new text in section 2, in item 2200-0100, by adding the following words:- "; and provided further, that $300,000 shall be expended for the Buzzards Bay Coalition and Provincetown Center for Coastal Studies, in conjunction with the Marine Biological Laboratory and the University of Massachusetts at Boston, for a coastal water quality monitoring program in Buzzards Bay, Vineyard Sound, Nantucket Sound and Cape Cod Bay"; and by striking out the figure "28,498,667" and inserting in place thereof the following figure:- "28,798,667".
After remarks, the amendment was **adopted.**

Messrs. Michael O. Moore, Joyce and Pacheco moved that the proposed new text be amended in section 2 by inserting after item 1599-6152 the following item:
"1599-xxxx For the Information Technology Division of the Executive Office of Administration and Finance, providing for MassGIS to purchase data sets, further develop data and expand its operations to provide government and communities technical assistance for modeling, planning and adapting for climate change…..... $350,000".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 2320-0100, by inserting after the word "areas" the following:- "; provided, that not more than $100,000 shall be expended for the planning, design and construction of a system of increased floats in Pigeon Cove in the town of Rockport, for the purpose of supporting commercial fishing vessels and increased public access in said cove"; and by striking out the figure "$537,143" and inserting in place thereof the figure "$637,143".
The amendment was *rejected*.

Mr. Wolf moved to amend the proposed new text in section 2, in item 2330-0100, by inserting after the words "to promote sustainable fisheries" the following words:- "; provided further, that not less than $100,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the counties and the director of marine fisheries"; and by striking out the figure "5,214,213" and inserting in place thereof the following figure:- "5,314,213".
The amendment was **adopted.**

Messrs. Wolf, Lewis and Pacheco moved that the proposed new text be amended by inserting, after section 56, the following new section:-
"SECTION __. Section 33 of chapter 92 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 28, the number '5' and inserting in place thereof the following number:- 10."
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting after the word "development;" the following: "provided further, that not less than $100,000 shall be expended for long term care and maintenance of Whitman's Pond in Weymouth;"; and by striking out the figures "41,625,332" and inserting in place thereof the figures "41,725,332".
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended in section 2, in item 2511-0100, "provided further, that not less than $120,000 shall be expended to support the Massachusetts Farm To School Project"; and by striking out the figure "$5,001,426" and inserting in place thereof the figure:- "$5,121.426".
The amendment was *rejected*.

Ms. Creem moved that the bill be amended in section 2, in item 2810-0100, by inserting after ″from this item" the following words:- ″; provided further, that no less than $125,000 shall be expended for community playgrounds at elementary schools in the City of Newton″; and by striking out the figures ″$40,846,881″ and inserting in place thereof the figures ″$40,971,881″.
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, by inserting after item 2810-2042 the following item:-
"xxxx-xxxx For the department of conservation and recreation; provided, however, that $250,000 shall be expended for the design and construction of a pedestrian, bicycle and multi-use pathway along the Charles river between Routes 9 and Routes 16 and the improvement of such path to make it an official connector trail between Hemlock Gorge and Leo J. Martin golf course…….…… $250,000".
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, by inserting after item 2810-0100 the following item:-
"xxxx-xxxx For the department of conservation and recreation, provided that $150,000 shall be provided to the City of Newton to improve, manage and protect the water quality in Crystal Lake to include, without limitation, the testing for water pollutants, and improvements to reduce pollution and erosion from water run-off near the lake.. $150,000".
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, by inserting after item 2800-0401 the following item:-
"xxxx-xxxx For the department of conservation and recreation to protect and preserve the water quality in Hammond Pond in the city of Newton to include, without limitation, the stabilization of pond banks by drainage modifications and improvements, vegetation enhancements, macrophytic weed removal and enhancing existing gardens and natural buffers
…… $100,000".
The amendment was *rejected*.

Messrs. DiDomenico, Eldridge, Lewis, Wolf, Downing, Donnelly, Welch and Michael O. Moore, Ms. Spilka, Ms. Creem, Messrs. Joyce and Kennedy, Ms. O'Connor Ives, Mr. Petruccelli, Ms. Chang-Diaz and Mr. Montigny moved that the proposed

new text be amended in section 2, in item 2511-0105 by striking the figure “$14,000,000” and inserting in its place thereof “$15,000,000”.
After remarks, the amendment was **adopted.**

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 2810-0100, by adding at the end thereof the following: “provided further, that not less than $50,000 shall be expended for projects and upgrades made through the Blackstone River Watershed Association”.
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following section:-
“SECTION__. Section 2Z of Chapter 29 of the General Laws, as appearing in the 2012 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 or extraordinary costs of construction due to a mandate pursuant to federal or state environmental laws and regulations.”
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended by inserting after section 125, the following section:-
“SECTION 125A. (a) Notwithstanding any general or special law to the contrary, local approval shall be required for the delivery to a single location of a cumulative volume of more than 100,000 cubic yards of soil that is removed from any source other than permitted sand and gravel pit or quarry. In a city, the approval shall be by a majority vote of the city council with approval from the mayor. In a town, the approval shall be a majority vote of the board of selectmen. Approval shall not be required for soil delivered to a site assigned landfill facility which has otherwise received approval for use of the soil from the department of environmental protection.
(b) Said vote shall commence after of an extensive review of a soil management plan prepared by a licensed professional engineer and filed for comment and approval with the local governmental unit that shall include, but shall not be not limited to, a detailed plan which addresses: (i) on site third party inspection working under the direction of a qualified environmental professional during importation and placement of all soils; (ii) third party review and approval of all soil analytical for suitability and reuse at the site; (iii) truck route, hours of operation and maximum number of trucks per day; (iv) erosion, noise, dust and odor control plans; and (v) host community mitigation fee of .50 cents per ton or an agreeable alternative amount.
(c) Not later than June 30, 2015, the department of environmental protection shall establish regulations, standards or procedures for determining the suitability of soil used as fill material including, but not limited to, the reclamation of quarries and sand and gravel pits. The regulations, standards or procedures shall ensure the importation and reuse of soil pose no significant risk of harm to health, safety, public welfare or the environment considering the transport, filling operations and the foreseeable future use of the filled land. The regulations, standards or procedures shall also include a detailed summary of the different grades of soil used for fill and the appropriate zoning subdistrict use where the placement of soil shall be acceptable. The department may adopt and amend or repeal regulations establishing: (1) classes or categories of fill or reclamation activities requiring prior issuance of a permit issued by the department; and (2) classes or categories of fill or reclamation activities that may be carried out without prior issuance of a permit issued by the department.
(d) The department of environmental protection may establish permit application fees for all persons filing applications pursuant to this section and procedures for adjudicatory hearings on department approvals or denials of such permit applications pursuant to chapter 30A of the General Laws. The department may also enforce this section and any regulations promulgated pursuant thereto through the issuance of administrative orders or issuance of administrative penalties pursuant to section 16 of chapter 21A of the General Laws. The superior court shall have jurisdiction in equity to enforce this section upon position of the department or the attorney general.”
The amendment was **adopted.**

Messrs. Brownsberger, Joyce, Pacheco and DiDomenico moved that the proposed new text be amended in section 2, in item 2800-0101 by striking out the figures “$1,020,149” and inserting in place thereof the figures “1,455,310”.
The amendment was *rejected*.

Messrs. Brownsberger and DiDomenico moved that the proposed new text be amended in section 2, in item 4590-1507 by adding the following language after “serving at-risk youth” in the final line:- “; provided further, that not less than $50,000 shall be expended for programs at the Fishing Academy, Inc., for young people in greater Boston”.
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 2200-0100, by adding at the end thereof the following: “provided further, that the department shall develop a watershed permitting approach, to address and optimize nitrogen management measures intended to restore water quality to meet applicable water quality standards, in watersheds included in an approved area wide nitrogen management plan developed pursuant to section 208 of the federal Clean Water Act and shall report to the joint committee on environment, natural resources and agriculture by March 1, 2015 on any statutory

changes it deems necessary to fully implement said watershed permitting approach".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended by inserting after section 34, the following new section:-
"SECTION __.
(A) M.G.L Chapter 29C Section 6 (ii)(3) is hereby deleted and replaced by:
(3) the applicant has a Comprehensive Wastewater Management Plan approved by the Department of Environmental Protection or the Department of Environmental Protection determines that the project is consistent with an areawide waste management plan approved under section 208 of the Federal Clean Water Act;
(B) M.G.L. Chapter 21 Section 27 (1) is hereby deleted and replaced by:
(1) Encourage or require the adoption and execution by cities and towns, districts, commissions, authorities, and other public agencies, and industries and other users of the waters of the commonwealth, and by cooperative groups of municipalities and industries, of plans for the prevention, control and abatement of water pollution.
(C) M.G.L. Chapter 21 Section 27 (6) is hereby deleted and replaced by:
(6) Prescribe effluent limitations, permit programs and procedures applicable to the management and disposal of pollutants, including, where appropriate, prohibition of discharges. The director may adopt watershed-based permit programs and procedures for nitrogen sensitive areas designated by the director and for other nutrient impaired watersheds that are the subject of an area-wide management plan or plan update or a total maximum daily load that has been approved by the United States Environmental Protection Agency pursuant to the Federal Clean Water Act.
(D) M.G.L Chapter 21 Section 27(10) is hereby amended by adding the words ', watershed based' after the words 'river basin'.
(E) M.G.L Chapter 21 Section 42 is hereby amended by adding the words 'twenty-seven or' after the words 'issued under this section'.
(F) M.G.L Chapter 21 Section 43 (7) and (8)are hereby deleted and replaced by:
(7) Every permit shall specify effluent limitations, interim and final deadlines where appropriate for compliance, the term for which the permit is issued, which may not be in excess of twenty years, as prescribed by the director by regulation for each category of permits, and such requirements of proper operation and maintenance, monitoring, sampling, recording, reporting, and inspection as the director may prescribe. Permits may specify additional requirements, including technical controls and other components of treatment works to be constructed or installed, and provisions for insuring payments of user charges, which the director deems necessary to safeguard the quality of the receiving waters or to comply with pertinent provisions of the laws of the commonwealth or of federal law.
(8) A permit for a discharge to publicly owned treatment works shall require any user to comply with pretreatment standards and other safeguards which the director may require to prevent excessive or improper waste loadings. With the approval of the director, a municipality individually or acting in concert with other municipalities, a district, commission, authority or other public agency operating treatment works may administer, in whole or in part, the system of permits that shall regulate discharges to those works.
(G) M.G.L Chapter 21 Section 28 (b) is hereby deleted and replaced by:
(b) Within ninety days of receipt by any city council or town council of a proposal by the division, approved by the commission, or within ninety days of receipt by the municipality of an approval of an area-wide waste treatment management plan update under section 208 of the Federal Clean Water Act that includes one or more proposed water pollution abatement districts as the designated area-wide waste treatment management agency or agencies for such town or towns that a water pollution abatement district which includes such city be established, said city or town council shall consider said proposal and indicate its approval or disapproval by voting by yeas and nays upon a question in substantially the following form:— 'Shall there be established a water pollution abatement district as recommended by the division of water pollution control and approved by the water resources commission, to include the city (cities) of (herein name of city or cities so proposed for inclusion) and the town (towns) of (herein name of town or towns proposed for inclusion in part) and the construction, acquisition, extension, improvement, maintenance and operation of a system of water pollution abatement facilities by the said district in accordance with the provisions of chapter twenty-one of the General Laws?' Within ninety days of receipt by the selectmen of any town of a proposal by the division, approved by the commission, that a water pollution abatement district which includes such town or a part of such town be established, or within ninety days of receipt by the selectmen of any town of an approval of an area-wide waste treatment management plan update under section 208 of the Federal Clean Water Act that includes one or more proposed water pollution abatement districts as the designated area-wide waste treatment management agency or agencies for such town or towns, said selectmen shall cause to be presented for determination by vote, with printed ballots at an annual town meeting or a special town meeting called for the purpose, the question of approving said proposal, which question shall be in substantially the form set forth above. If the proposed district includes a part or parts of a town, the said selectmen or town council shall call a special meeting or for the purpose of approving the proposal at which only registered voters resident in that part or parts of the town proposed to be included in the district may vote. The warrant for such meeting posted in not less than two public places in said part or parts of the town at least seven days before the day of the meeting and the moderator of the town shall preside at such meeting and the town clerk shall keep the records thereof. Whenever within said ninety days each city and town or part thereof proposed for inclusion in said district shall have indicated its approval of the proposed district by vote in the affirmative on said question in the manner described in this subsection, the district shall be deemed to be established.
In the event that the city or town or designated parts thereof proposed by the division for inclusion in a district fails to vote in the affirmative on said question within the ninety day period, the director shall conduct a public hearing. Upon completion of said

hearing, the director may, upon finding that the creation of said district is necessary for the prompt and efficient abatement of water pollution, and with the approval of the water resources commission, declare the mandatory formation of the district.
(H) M.G.L Chapter 21 Section 28 (c) is hereby amended by deleting paragraph 2 and replacing it with:
In the event that the enlargement or consolidation involves a district formed mandatorily as provided in subsection (b), the director shall conduct a public hearing. Upon completion of the hearing, the director may, upon finding that the formation of said district is necessary for the prompt and efficient abatement of water pollution, and with the approval of the water resources commission, declare the enlargement or consolidation on the part of such district.
(I)M.G.L Chapter 21 section 30 is hereby deleted and replaced by:
Section 30. A district commission (1) may act by a majority vote of the full commission, (2) shall adopt by-laws and regulations for the conduct of its affairs, (3) shall adopt a name and a corporate seal, (4) may sue and be sued, (5) may enter into contracts, (6) may incur expenses in order to carry out its purposes, (7) may issue bonds and notes as hereinafter provided, (8) may acquire, dispose of and encumber real and personal property for the purposes of the district, (9) may manage, control and supervise abatement facilities, (10) may construct, acquire, improve and maintain and operate abatement facilities, (11) may exercise the power of eminent domain under chapter seventy-nine, (12) shall provide revenue to carry out the purposes of the district, in accordance with sections thirty-five and thirty-six, (13) may apply for, accept and receive financial assistance from the federal government and from the commonwealth, and (14) shall apply for and hold permits issued by the department of environmental protection, and any other federal or state regulatory agency, required for those facilities and operations necessary to prevent, control or abate water pollution.
A district commission may lay out, construct, maintain and operate a system or systems of common sewers and main drains in public or private ways for a part or the whole of its territory as they adjudge necessary for the public convenience or the public health with such connections and other works as may be required for a system or systems of sewerage and drainage, stormwater treatment and disposal, and sewage treatment and disposal, including but not limited to the so-called alternative wastewater treatment techniques approved or permitted by the Department of Environmental Protection and proposed as part of an approved area-wide wastewater management plan adopted under Section 208 of the federal Clean Water Act. Such works for sewage treatment and disposal may include any wastewater treatment facility for treating, neutralizing or stabilizing sewage including treatment or disposal plants; the necessary intercepting, outfall and outlet sewers; pumping stations integral to such facilities; and equipment and appurtenances related to the foregoing, as well as the facilities or structures or other measures for alternative wastewater management treatment techniques. The works for drainage may include a stormwater treatment facility or measure of treating, or removing sediment or contaminants from, stormwater discharges. For the purposes of this chapter the word “sewage” shall mean wastewater from homes, public buildings, commercial or industrial establishments, or any combination thereof, and shall include any surface or ground water that may be present therein. For the purposes of this chapter, the word ‘stormwater’ shall mean surface runoff from precipitation.
A district commission may install and maintain, in any public or private way therein where sanitary sewers are constructed, such connecting sewers within the limits of such way as may be necessary to connect any estate which abuts upon the way.
No act shall be done except in the making of surveys, reports and other preliminary investigations, until the plan for said system or systems of sewerage and sewage treatment and disposal has been approved by the department of environmental protection.
A district commission may acquire, install, operate, maintain, remove, repair or replace any septic system located within its district.
A district commission may take by eminent domain under chapter seventy-nine, or acquire by purchase or otherwise, any lands, rights of way or easements, public or private, in said district, necessary for accomplishing any purpose mentioned in this section, and may construct such sewers or drains under or over any bridge, railroad, railway, or public way, or within the location of any railroad, and may enter upon and dig up any private land, public way or railroad location, for the purpose of laying such sewers or drains and of maintaining and repairing the same, and may do any other thing proper or necessary for the purpose of this section; provided that they shall not take in fee any land of a railroad corporation, and that they shall not enter upon or construct any sewer or drain within the location of any railroad corporation except at such time and in such manner as they may agree upon with such corporation, or, in case of failure to agree, as may be approved by the department of telecommunications and energy. Any person injured in his property by such action may recover damages from such district under chapter seventy-nine.
A district commission may make contracts with, or may go to aid any other city, town, commission or district with regard to the operation, repair and maintenance of the physical properties of its system or systems of sewers and drains. Members of such districts while in the performance of their duties under such contracts or in extending such aid shall have the same immunities and privileges as if performing the same work in their respective cities, towns, commissions, and districts. Any city, town, commission or district aided under this section shall compensate any district rendering aid as aforesaid, for such aid and for the whole or any part of any damage to its property sustained in the course of rendering such aid. Any contracts under this section may be for a period not exceeding twenty years.”
(J) Section 13(b) of Chapter 716 of the Acts of 1989 is hereby amended by inserting at the end of said subsection the following:- ‘provided, however, that for any plan or project proposed by a public or quasi-public entity for managing wastewater, watersheds, water resources, or water quality, the commission may conduct the public hearing referred to in subsection (a) and issue the decision referred to in subsection (e) jointly and/or prior to or concurrent with the issuance of a certificate by the secretary of energy and environmental affairs or a successor agency certifying compliance with said sections sixty-one to sixty-two H, inclusive, of chapter thirty of the General Laws, and provided further that, notwithstanding subsection (e), the commission may specify in its decision the period for which the development of regional impact is valid and effective and municipal development permits may be issued pursuant thereto, which period may be different than seven years.’

(K) Section 13 of Chapter 716 of the Acts of 1989 is hereby amended by inserting at the end thereof the following new subsection:
‘Section 13(l). The commission and any public agency may enter into agreements to expedite permitting for nutrient remediation and other water quality improvement plans and projects. Notwithstanding the provisions of 12 and 13 of this act, the commission shall review developments of regional impact for managing wastewater, watersheds, water resources, or water quality for consistency with any approved area wide water quality management plan created at the direction of the governor of the commonwealth of Massachusetts pursuant to the U.S. Clean Water Act.’.”
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 2200-0100, by inserting in the final line after the words “the General Laws” the following:- “; provided further, that not less than $50,000 shall be expended for environmental programs in the town of Belmont”.
The amendment was *rejected*.

Messrs. Rush, Lewis, Donnelly, Downing, Eldridge and Michael O. Moore, Ms. Spilka, Ms. Forry, Mr. DiDomenico, Ms. O'Connor Ives, Ms. Chang-Diaz, Mr. Brownsberger, Ms. Creem and Messrs. Joyce and Ross moved that the proposed new text be amended in section 2, in item 2810-0100, by striking out the figure “$41,625,332” and inserting in place thereof the following figure:- “$45,600,000”.
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2310-0200, by adding at the end thereof the following:- “provided further, that no less than $60,000 shall be expended for aquatic nuisance control in Sluice Pond, Flax Pond, and the Floating Bridge Pond in the city of Lynn”.
The amendment was *rejected*.

Messrs. Pacheco and Eldridge and Ms. O'Connor Ives moved that the proposed new text be amended by striking out section 20 and inserting in place thereof the following section:-
“SECTION 20. Chapter 20 of the General Laws is hereby amended by striking out sections 23 and 24, as so appearing, and inserting in place thereof the following 2 sections:-
Section 23. (a) The secretary of environmental affairs shall establish a program to assist the commonwealth in the acquisition of agricultural preservation restrictions as defined in section 31 of chapter 184, for land actively devoted to agricultural or horticultural uses pursuant to sections 1 to 5, inclusive, of chapter 61A. The commissioner of agricultural resources may, from funds appropriated to carry out this section or received from other sources, pay any agricultural land owner for a project submitted by a city or town and approved by the agricultural lands preservation committee established in section 24 such amount as is determined by the committee to be equitable in consideration of anticipated benefits from such project but not to exceed the difference between the fair market value of the land and the fair market value of the land restricted for agricultural purposes pursuant to this section. Title to agricultural preservation restrictions shall be held in the name of the commonwealth; provided, however, that a city or town in which such land is located which provides assistance satisfactory to the committee including, but not limited to, providing funds or portions thereof toward the purchase of such restriction, providing legal services and the enforcement of the preservation restriction shall hold title to such land jointly with the commonwealth. Projects shall be administered by conservation commissions in cities and towns in which such commissions have been established or, in a city, by the city council or its delegated agency subject to the city charter, or, in a town, by the board of selectmen or its delegated agency. The commissioner, subject to the approval of the secretary, shall establish procedures for management of the program.
(b) Notwithstanding any general or special law to the contrary, the department of agricultural resources, with the approval of the co-holder, if any, in its sole discretion, may grant to any owner of land subject to an agricultural preservation restriction held by the commonwealth a nonassignable special permit allowing nonagricultural activities to occur on the agricultural preservation restriction land if: (i) the land is being actively utilized for full-time commercial agriculture; (ii) the permit is for a maximum of 5 years duration which may, at the discretion of the department, be renewed; and (iii) the grant of a special permit will not defeat or derogate from the intent and purposes of retaining the land for agricultural use and preserving the natural agricultural resources of the commonwealth and that the agricultural preservation restriction owner meets all requirements pertaining to special permits contained in the agricultural preservation restriction agreement form utilized by the commonwealth at the time of application for the special permit. In making the determination, the department shall consider the long-term productivity of the agricultural resource and the sustainability of the farm enterprise.
(c) Any applicant aggrieved by a decision of the department denying a request for a certificate of approval for agricultural activities or structures or a special permit authorized in subsection (b), may request an adjudicatory hearing under chapter 30A before the agricultural lands preservation committee. The determination of the department shall contain a notice of a right to request a hearing and may specify a time limit, not to exceed 21 days, within which the applicant may request a hearing before the committee under said chapter 30A. If a timely request is received, the committee shall, within a reasonable time, hold a hearing in compliance with said chapter 30A. The committee shall designate a hearing officer to preside over the hearing, to assemble an official record of the hearing and to render a written decision which shall be submitted to the committee. The committee shall make the final decision.
Section 24. (a) There shall be an agricultural lands preservation committee in the department of agricultural resources. The committee shall consist of the commissioner of agricultural resources, who shall be chairperson, the secretary of environmental

affairs, the director of housing and community development, an appointee from the University of Massachusetts at Amherst Center for Agriculture, Food and the Environment, the chair of the board of agricultural resources or their respective designees, and 4 persons to be appointed by the governor, 2 of whom shall be owners and operators of farms within the commonwealth. Members appointed by the governor shall receive $50 for each day or portion of a day spent in the discharge of their official duties not to exceed $600 annually and shall be reimbursed for the necessary expenses incurred. The state conservationist of the United States Department of Agriculture Natural Resources Conservation Service shall serve as a nonvoting member.
(b) The committee shall evaluate and accept or reject projects submitted by municipalities. In so evaluating, the committee shall consider at a minimum the following:
(i) the suitability of land as to soil classification and other criteria for agricultural use;
(ii) the fair market value of the land and the fair market value of the land when used for agricultural purposes as determined by independent appraisals; and
(3) the degree to which the acquisition would serve to preserve the agricultural potential of the commonwealth.
(c) The commissioner of agricultural resources, subject to the approval of the committee, may establish such rules and regulations as may be deemed necessary to carry out this section. The committee may also provide advice to the commissioner on department policies.
(d) Each member of the committee appointed by the governor shall be appointed for a term of 4 years, and shall serve until the member's successor is appointed and qualified. A person appointed to fill a vacancy shall serve for the unexpired term of the member creating the vacancy. Members may be eligible for reappointment."
After remarks, the amendment was **adopted.**

Mr. Wolf, Ms. O'Connor Ives, Messrs. Eldridge, Pacheco and Joyce, Ms. Creem and Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 2300-0101 by striking out the figure "$507,405" and inserting in place thereof the figure "$650,000".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2310-0317, by adding at the end thereof the following:- "provided further that no less than $5,000 shall be expended on waterfowl nuisance management for Flax Pond in the city of Lynn"; and replacing at the end thereof the figure "$70,000".
The amendment was *rejected*.

Mr. McGee, Ms. Jehlen, Messrs. Pacheco and DiDomenico moved that the proposed new text be amended in section 2, in item 2820-2000, by striking out the figure "$3,105,000" and inserting in place thereof the following figure "$3,150,000".
The amendment was *rejected*.

Messrs. McGee and Petruccelli, Ms. Forry and Mr. Keenan moved that the proposed new text be amended by inserting after section ____, the following new section:-
"Section XXX. Notwithstanding any special or general law to the contrary, not less than 33% of the funds awarded by the Mass Environmental Trust shall be appropriated to support public or non-public entities that provide free public events, youth environmental education programs, increased public education and community outreach about or new or ongoing scientific studies, analysis and reports on water quality on the metropolitan regions public beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull, as well as free or low cost public access for youth and families to the beaches in the Boston Harbor Islands National Park.".
The amendment was *rejected*.

Messrs. Barrett and Eldridge and Ms. Spilka moved that the proposed new text be amended in section 2, in item 2200-0100, by inserting at the end thereof the following words:- "provided that $25,000 shall be expended for the purpose of entering into agreement with a not for profit organization to operate a water quality monitoring program in the Sudbury, Assabet and Concord Rivers"; and by striking out the figure "$28,498,667" and inserting in the place thereof the following figure:- "$28,523,667".
After remarks, the amendment was **adopted.**

Mr. McGee, Ms. Forry, Messrs. Petruccelli and Keenan moved that the proposed new text be amended in section 2, in item 2810-2041, in line 24, by inserting after the word "into" the following:- "and (g) shall issue matching grants of not less than $190,000 to public and nonpublic entities from this item to support free public events and programs on the Metropolitan Beaches as recommended by the Metropolitan Beaches Commission".
The amendment was *rejected*.

Mr. McGee, Ms. Forry, Messrs. Petruccelli and Keenan moved that the proposed new text be amended in section 2, in item 2810-0100, in line 8, by inserting after "2014" the following:- "and (iv) to maintain and operate the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull"; and by striking out the figure "$41,625,332" and inserting in place thereof the figure "$44,525,332".
The amendment was *rejected*.

Ms. Creem, Messrs. Lewis, Pacheco, Barrett, Brownsberger and Rush moved that the proposed new text be amended in section 2, in item 2200-0107, by adding at the end thereof the following new words:- "provided, that funds may be expended for a recycling industries reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997"; and by striking out the figures "$375,000" and inserting in place thereof the figures "$1,459,987".
The amendment was *rejected*.

Ms. Jehlen and Messrs. Lewis, Brownsberger, Donnelly and DiDomenico moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting at the end thereof the following:- "and provided further, that not less than $250,000 shall be expended for the purpose of finalizing the designs and obtaining permits necessary for implementation of the Mystic River Master Plan"; and by striking the figure "$41,625,332" and inserting in the place thereof the figure:- "$41,875,332".
The amendment was *rejected*.

Ms. Jehlen, Messrs. Pacheco, DiDomenico and Joyce moved that the proposed new text be amended in section 2, in item 2810-0100, by striking out the figure "$41,625,332" and inserting in place thereof the following figure:- "$41,773,966".
The amendment was *rejected*.

Messrs. Eldridge, Wolf, Lewis, Michael O. Moore, Joyce, Pacheco and Barrett and Ms. Creem moved that the proposed new text be amended in section 2, in item 2200-0100 by striking out the figures "28,498,667" and inserting in place thereof the figures "33,696,000".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 22, by inserting after the word "Interior", in line 381, the following:- "and with the Blue Hills Observatory located in the town of Milton".
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended by inserting at the end thereof the following new section :-
"SECTION__. The fifth paragraph of Section 7 of Chapter 132B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following new sentence:-
Said subcommittee shall classify restricted use pesticides in a manner that is consistent with the federal classification unless evidence is shown to prove the pesticide will cause unreasonable adverse affects on the environment."
The amendment was *rejected*.

Messrs. Eldridge and Rosenberg moved that the proposed new text be amended in section 2, in item 2000-1207 by striking out item 2000-1207 and inserting in place thereof the following item:-
"2000-1207 For the office of the state climatologist; provided, that not later than September 30, 2014, the office shall report to the executive office of energy and environmental affairs, the chancellor at the University of Massachusetts, the executive office for administration and finance and the house and senate committees on ways and means detailing the planned activities of the office in fiscal year 2015……$200,000"; and by striking out section 22 and inserting in place thereof the following section:-
"SECTION 22. Said chapter 21A is hereby further amended by adding the following section:-
Section 24. There shall be within the executive office of energy and environmental affairs an office of the state climatologist, which shall be under the supervision and control of a state climatologist to be appointed by the secretary of energy and environmental affairs and the chancellor of the University of Massachusetts at Amherst. The office of the state climatologist shall be housed at the University of Massachusetts Amherst and shall: (i) gather and archive data on climate conditions in the commonwealth; (ii) conduct and foster research concerning the climate in the commonwealth and look for opportunities for sponsored research concerning climate issues in the commonwealth; (iii) coordinate with the Northeast Regional Climate Science Center housed at the University of Massachusetts at Amherst by the United States Department of the Interior; and (iv) educate and inform citizens on matters related to climate. The office of the state climatologist shall advise all other branches of state and local government concerning the climate in the commonwealth and its implications for both economic and scientific needs in conjunction with existing and future environmental factors relating to the climate in the commonwealth. The office of the state climatologist shall maintain a liaison with federal and other state and academic institutions and join federal and international climate interest groups. The state climatologist shall serve for a term of 5 years, but may be reappointed. The office of the state climatologist shall be funded by the executive office."
After remarks, the amendment was **adopted.**

Messrs. Wolf and McGee moved that the proposed new text be amended in section 2, in item 2511-0100, by striking the figure "$5,001,426" and inserting in place thereof the following figure:- "$5,249,322".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 8100-1001, in line 12, by inserting after "properties and parkways" the following: "provided that $200,000 shall be expended for dedicated patrols at the Department of Conservation and Recreation beaches and pools"; and by striking out the figures "$264,039,069" and inserting in place thereof the figures "$264,239,069".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, neither the department of agricultural resources, the Pesticide Board, nor subcommittee thereof shall classify any category of pesticide or pesticide use pattern as restricted use without conducting and publishing a report which investigates all rationale for the proposed restrictions which shall include but not be limited to assessment of actions by the EPA, other states, and detailed assessment of related violations of the Massachusetts Pesticide Control Act and the regulations 333 CMR 10.00 and will publish a report of all allegations and a ruling on each incidence and whether the perpetrator was licensed or unlicensed no later than the third Wednesday in January annually. The department shall not promulgate any regulations relative to 333 CMR 10.00 prior to the completion of said investigation. Further, assessments shall be conducted every 5 years for those categories of pesticides use which have been restricted to account for changes in products and practices. Those categories of pesticides and use patterns currently restricted shall be reassessed no later than January 1, 2015."
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided further, that not less than $40,000 shall be expended for a child safety grant in the town of North Reading"; and by striking out the figure "$10,933,979" and inserting in place thereof the figure "$10,973,979".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended as follows:
"SECTION __. Notwithstanding any general or special law to the contrary, in administering the federal Community Development Block Grant program the state shall, to the extent possible, distribute funds to communities where the population exceeds 30,000 residents and where fifty percent or more of the community's public school students are eligible for free or reduced lunch under the eligibility guidelines promulgated by the federal government under 42 U.S.C. 1758."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Section 9 of chapter 140 of the General Laws is hereby amended by inserting, in line 6, after the words 'suspend or revoke his license' the following words:- 'or impose a fine for the first offense within a six month period of not less than $500 and not more than $1,000, for the second offense within a six month period of not less than $1,000 and not more than $2,000, for the third offense within a six month period of not less than $2,000 and not more than $5,000, for the fourth offense within a six month period of not less than $5,000 and not more than $10,000, for the fifth offense within a six month period of not less than $10,000'."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. The Massachusetts Department of Transportation may convey all or a portion of the state highway yard located at Granite Avenue in the town of Milton to the town of Milton, for nominal consideration. The exact boundaries of the state highway yard land located at Granite Avenue in the town of Milton shall be determined by the secretary of transportation after completion of a survey. The parcel may be conveyed by deed without warranties or representations by the commonwealth. The Massachusetts Department of Transportation may also release any other property interests it holds in the property to be conveyed to the town of Milton hereunder, for nominal consideration."
The amendment was *rejected*.

Messrs. Joyce and Eldridge moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Chapter 167 of the General Laws is hereby amended by inserting after section 13 the following section:-
Section 13A. (a) A mutual bank, co-operative bank or credit union shall provide clear, concise and understandable disclosure of all compensation awarded to, earned by or paid to the named executive officers or directors designated in subsection (b). A mutual bank, co-operative bank or credit union shall conspicuously publish disclosure in a format readily accessible to members.
(b) For the purposes of this section, a 'named executive officer or director' shall mean:
(i) a person serving as a company's principal chief executive officer or acting in a similar capacity during the last completed fiscal year, the 'CEO', regardless of compensation level;
(ii) a person serving as a company's principal or chief financial officer or acting in a similar capacity during the last completed fiscal year, the 'CFO', regardless of compensation level;
(iii) a company's 3 most highly compensated executive officers other than the CEO and CFO who were serving as executive officers at the end of the last completed fiscal year;
(iv) up to 2 additional persons for whom disclosure would have been provided pursuant to clause (iii), but for the fact that the individual did not serve as an executive officer of the company at the end of the last completed fiscal year; and
(v) a company's directors.
(c) The commissioner of banks shall further promulgate regulations with the express purpose of requiring a mutual bank, co-operative bank or credit union to provide full and accurate disclosure of:
(i) all compensation to the named executive officers or directors, whether paid or accrued; and

(ii) all conflicts of interest, whether direct or indirect."
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION XX. Section 3A of chapter 23A, of the General Laws as appearing in the 2012 Official Edition, is hereby amended by striking the definition for 'Gateway Municipality,' and inserting in place thereof the following new definition:--
'Gateway Municipality,' a city with a population greater than 35,000 and less than 250,000; a median household income below the commonwealth's average and a rate of education attainment of a bachelor's degree or above that is below the commonwealth's average designated by the Secretary of Housing and Economic Development pursuant to this chapter or a town with a population greater than 65,000; per capita income that is below the commonwealth's average and a rate of educational attainment of a bachelor's degree or above that is no greater than 7 percentage points above the commonwealth's average."
The amendment was *rejected*.

Ms. Spilka, Ms. Candaras and Messrs. DiDomenico and Joyce moved that the proposed new text be amended in section 2, by inserting after item 7007-0952 the following item:-
"7007-1641 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 to prevent business closure and employee displacement; provided, that the expenditure of the layoff aversion through management program in this item shall leverage at least $1 in matching funds for every $1 granted pursuant to this item; provided further, that 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 through the layoff aversion through management program and a detailed account of the expenditures of the layoff aversion through management program, including administrative costs ... $250,000".
The amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended in section 2, in item 7002-0021, by adding the following words:- "provided, that $25,000 shall be expended for a one-time grant to the town of Huntington for the purchase of snow removal equipment; provided further, that $1,000,000 shall be expended for capital improvements to the North Brookfield town hall"; and by striking out the figure "$5,000,000" and inserting in place thereof the following figure:- "$6,025,000".
The amendment was **adopted.**

Mr. Keenan moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting after the word "commonwealth" the following:- "and provided further, $100,000 shall be expended to Quincy Asian Resources, Inc. in the City of Quincy".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 7003-1206, by adding the following words:- "; provided, that not less than $110,000 be provided for a work maturity skills pilot program through the Community Action Committee of Cape Cod & Island, Inc. to move women from domestic violence shelters to long-term employment and financial stability"; and by striking out the figure "$750,000" and inserting in place thereof the following figure:- "$860,000".
The amendment was **adopted.**

Mr. Keenan moved that the proposed new text be amended in section 2, in item 7004-0099, by adding at the end thereof the following: "and provided further, that the town of Holbrook shall receive not less than the amount appropriated in Chapter 139 of the Acts of 2012 for a one-time community action grant".
The amendment was *rejected*.

Messrs. Michael O. Moore, Lewis, DiDomenico and Keenan moved that the proposed new text be amended in section 2, in item 7003-0901, by striking out item 7003-0901 and inserting in place thereof the following item:-
"7003-0901 For the department of labor relations, which may expend for the operation of the department an amount not to exceed $200,000 from fees collected under section 3B of chapter 7 of the General Laws and section 6 of chapter 150 of the General Laws; provided, that any fees collected in excess of $200,000 shall be deposited into the General Fund; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of revenues and related expenditures, the department 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 as reported in the state accounting system."
The amendment was *rejected*.

Messrs. Michael O. Moore, Lewis and Keenan moved that the proposed new text be amended by inserting after section___, the following 2 sections:-
"SECTION _____. Chapter 151A of the General Laws is hereby amended by inserting after section 10 the following section:-
Section 10A. For any development that is in excess of $250,000 or more, the developer and said vendors shall provide to the

executive office of labor and workforce development a true attested copy, by re-paid certified mail or electronic filing, of all payments to Massachusetts Unemployment Insurance program for all employees at jobsites in compliance with the state's Unemployment Insurance laws."
SECTION _____. Section 6 of chapter 152 of the General Laws, as appearing in the 2013 Official Edition, is hereby amended by adding the following paragraph:-
For any development that is in excess of $250,000 or more, the developer and said vendors shall provide to the executive office of labor and workforce development a true attested copy, by re-paid certified mail or electronic filing, of all payments to the Massachusetts Workers' Compensation system for all employees at jobsites in compliance with the state's Workers Compensation laws."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section _____, the following 5 sections:-
"SECTION _____ . Section 1 of chapter 62D of the General Laws, as so appearing, is hereby amended by inserting after the definition of 'Debtor', the following definition:-
'Federal tax refund payment', any overpayment of federal taxes to be refunded to the person making the overpayment after the Internal Revenue Service makes the appropriate credits as provided in 26 U.S.C. §6402(a) and 26 CFR §6402-3(a)(6)(i) for any liabilities for any federal tax on the part of the person who made the overpayment.
SECTION _____. Section 1 of chapter 151A of the General Laws, as so appearing, is hereby amended by adding the following subsection:-
(v) 'Unemployment compensation debt' shall have the same meaning as 'covered unemployment compensation debt' in 26 U.S.C. § 6402(f)(4).
SECTION _____. Chapter 151A, as so appearing, is hereby further amended by inserting after section 14P the following section:-
Section 14Q. The commissioner may enter into an agreement with the Secretary of the Department of Treasury, pursuant to the provisions of 26 U.S.C. §6402(f) and 31 CFR §285.8, to transmit valid, unpaid, and overdue unemployment compensation debts to the Financial Management Service, a bureau of the U.S. Department of the Treasury, for collection by offset of federal tax refund payments through the treasury offset program. If the commissioner chooses to participate in the treasury offset program to recover unemployment compensation debt, the commissioner shall adhere to all rules, policies, and guidance as required by the U.S. Department of the Treasury and the U.S. Department of Labor in implementing and administering the program. The commissioner may promulgate such regulations as needed to implement this section.
SECTION _____. Section 15 of said chapter 151A, as appearing in the 2012 Official Edition, is hereby amended by adding the following subsection:-
(f) If an assessment, or any administrative decision upon review thereof, has become final and the contributions, payments in lieu of contributions, interest or penalties thereby assessed remain unpaid, the director may refer the unpaid and overdue amount to the secretary of the department of treasury for collection pursuant to the provisions of 26 U.S.C. §6402(f), the treasury offset program; provided, that all procedures for notice and opportunity to present evidence as required by 31 CFR §285.8 have been followed.
SECTION _____. Section 69B of said chapter 151A, as so appearing, is hereby amended by adding the following paragraph:
In addition to any other remedy provided by this chapter, the commissioner may request that the amount payable to the department by an individual resulting from an overpayment of unemployment benefits which has become final as specified in 430 CMR 6.12 be set off against any federal tax refund payment owed such individual by the U.S. Department of Treasury, in accordance with the requirements of the Treasury Offset Program pursuant to section 14Q."
The amendment was *rejected*.

Mr. Michael O. Moore, Ms. Chandler, Mr. Rodrigues and Ms. Spilka moved that the proposed new text be amended in section 2, in item 7003-0606, by striking out the figure " $500,000" and inserting in place thereof the following figure:- "$2,000,000".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 7004-0102, by adding at the end thereof the following: "provided further, that $100,000 be provided to the Housing Assistance Corporation Cape Cod for the purpose of developing a day center in Hyannis to provide services to homeless individuals".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 7003-0100, by striking out the figure "$834,878" and inserting in place thereof the following figure:- "$889,277".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, by inserting after item 7003-0803 the following item:-
"xxxx-xxxx For the operation of the Massachusetts Workforce Board Association…….. $75,000".
The amendment was *rejected*.

Mr. Michael O. Moore, Ms. Chandler, Mr. Eldridge, Ms. Candaras, Mr. Lewis, Ms. Forry and Messrs. Kennedy and McGee moved that the proposed new text be amended in section 2, in item 7004-0099, by adding at end thereof the following:- "provided further, that $1,250,000 shall be expended for municipal pre-foreclosure mediation programs targeted at providing commercially reasonable alternatives to foreclosure; provided that these funds shall be expended to establish municipal programs engaging neutral mediators to administer and provide mediation between homeowners, housing counselors at the homeowner's option and authorized representatives of mortgagees; provided further, that funded programs are financially sustained without state funds after initial start-up costs and that state funds provided are repaid by the end of first full municipal fiscal year of the program; provided further, that funds will be administered by the Department of Housing and Community Development; and provided further, that these funds shall be available for expenditure through June 30th, 2016"; and by striking out "$6,460,145" and inserting in place thereof the figures "$7,710,145".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7004-0099, by inserting the following:- "; provided further, that not less than $175,000 shall be expended for the provision of emergency services operated by Community Action Programs Inter-City, Inc. for the communities of Chelsea, Revere, and Winthrop"; and by striking out the figures "$6,460,145" and inserting in place thereof, "$6,635,145".
The amendment was *rejected*.

Messrs. Rush, Barrett, Wolf, Donnelly and Michael O. Moore and Ms. Spilka moved that the proposed new text be amended in section 2, by inserting after item xxxx-xxxx, the following item:
"xxxx-xxxx. For a reserve to support the commonwealth's defense sector initiatives; provided, that the executive office of housing and economic development shall allocate funds to the Massachusetts Development Finance Agency for this purpose…… $350,000".
The amendment was *rejected*.

Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided further, that no more than $50,000 shall be provided for Destination Worcester, to assist in their efforts to recruit athletic events to the greater Worcester community"; and by striking the figures "$10,933,979" and inserting in place thereof the figures "$10,983,979".
The amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "provided further, that not less than $180,000 shall be expended for the Spirit of Springfield in the city of Springfield"; and by striking out the figure "$10,933,979" and inserting in place thereof the following figure:- "$11,139,979".
The amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 7007-0300, by inserting at the end thereof the following wording:- "provided not less than $100,000 shall be expended for the Springfield Business Improvement District"; and by striking out the figure "$1,713,907" and inserting in place thereof of the following figure:- "$1,813,907".
The amendment was *rejected*.

Ms. Candaras moved that the proposed new text be amended in section 2, in item 7007-0952, by adding the following words:- "provided further, that not less than $210,000 shall be expended for a competitive grant program for zoos not operated by the commonwealth zoological corporation; and provided further, that in awarding said grants, the office of business development shall ensure that all zoos who received funding in fiscal year 2014 shall 2014 and shall award said grants to zoos in equal amounts to all grant recipients"; and by striking out the figure "$3,500,000" and inserting in place thereof the following figure:- "$3,710,000".
The amendment was *rejected*.

Ms. Candaras moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "provided further, that not less than $50,000 shall be expended for the Wilbraham Nature And Cultural Council"; and by striking out the figure "$10,933,979" and inserting in place thereof the following figure:- "$10,983,979".
The amendment was *rejected*.

Ms. Candaras and Mr. McGee moved that the proposed new text be amended by striking out section 26.
The amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 7007-0300, by adding at the end thereof the following wording:- "provided further that not less than $100,000 shall be expended for Affiliated Chambers of Commerce of Greater Springfield to provide technical assistance to small businesses in urban communities".
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7004-0101, by inserting at the end thereof the following:- “provided further, that funds shall be expended for the purpose of technical assistance by Homes for Families”.
The amendment was **adopted.**

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting after the words “within the Commonwealth” the following:- “provided further that no less than $500,000 shall be expended for the Greater Boston Convention and Visitor Bureau for marketing and promotion of Sail Boston/Tall Ships 2017”; and by striking out the figures “$10,933,979” and inserting in place thereof the figures “11,433,979”.
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- ″; and provided further, that $20,000 be expended for the Zamir Chorale of Boston's musical and educational organization″; and by striking out the figures “$10,933,979” and inserting in place thereof the figures “$10,953,979”.
After remarks, the amendment was **adopted.**

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 7004-0101, by inserting after “beds” the following:- “; provided further, that no less than $100,000 be allocated for People, Incorporated, for the transportation needs and services of families being housed in hotels or motels in the towns of Swansea and Somerset”; and by striking out the figure “$136,946,602” and inserting in place thereof the figure:- “$137,046,602”.
The amendment was *rejected*.

Mr. DiDomenico, Ms. Spilka, Messrs. Rush and Joyce moved that the proposed new text be amended in section 2, in item 7004-0099, by inserting at the end the following:- “; provided further, that no less than $50,000 shall be expended for Solutions at Work in the City of Cambridge”; and by striking the figures “$6,460,145” and inserting in place thereof the figures “$6,510,145”.
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended by inserting after section __, the following new section:-
“SECTION __. Notwithstanding any general or special law, regulation or guideline to the contrary, II.A.2.c.(1) of the Department of Housing and Community Development Comprehensive Permit Guidelines is amended by striking it in its entirety and inserting in place thereof the following:- ‘1. General - In an owner occupied facility, in communities where the percentage of renter-occupied residential units exceeds 30% of all occupied residential units, if at least 25% of units are to be occupied by Income Eligible Households earning 80% or less than the area median income, or alternatively, if at least 20% of units are to be occupied by households earning 50% or less of area median income, and meet all criteria outlined in section 1, then all of the units in the development shall be eligible for inclusion in the SHI. In determining the number of units required to satisfy either percentage threshold, fractional numbers shall be rounded up to the nearest whole number.’.”
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following words:- “; and provided further, that no less than $150,000 shall be expended for public service announcements to be broadcast during From the Top, Inc’s radio programming”; and by striking out the figures “$10,933,979” and inserting in place thereof the figures “$11,083,979”.
The amendment was *rejected*.

Mr. DiDomenico, Ms. Forry, Ms. Jehlen and Mr. Rush moved that the proposed new text be amended in section 2 by inserting after item 7002-0012 the following item:-
“xxxx-xxxx For the Year Up, Inc. program to provide employment, training and job placement through a 1-year program for young urban adults ages 18 to 24 that combines an internship with college credits and a stipend, so long as the program demonstrates at least a 6:1 private match and has a proven record of achieving at least an 80 per cent positive outcome within 6 months after graduation, defined by either a first job earning $30,000 or full-time enrollment in college ……..... $300,000”.
The amendment was *rejected*.

Mr. DiDomenico and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting at the end the following: “; and provided further, that not less than $100,000 shall be expended for the Head of the Charles Regatta to cover costs associated with public safety”; and by striking out the figures “$10,933,979” and inserting in place thereof the figures “$11,033,979”.
The amendment was *rejected*.

Mr. Welch, Ms. Candaras and Mr. Humason moved that the proposed new text be amended in section 2, in item 7002-0020, by inserting after the word “veterans” the following words:- “; provided further that not less than $250,000 shall be used as a pilot program in Hampden County through a partnership the regional employment board of Hampden County and the area precision manufacturing companies and the lower pioneer valley educational collaborative”.
The amendment was *rejected*.

Mr. Welch moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting after the words "championships" the following words:- "; provided further that not less than $100,000 shall be expended as a one-time grant to the city of West Springfield"; and by striking out the figure "$10,933,979" and inserting in place thereof the figure "$11,033,979".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7004-3045, by striking out the figure "$500,000" and inserting in place thereof the following figure: "$750,000".
The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided that not less than $50,000 shall be expended for the renovation and rehabilitation of the historic Central Public Safety headquarters in Arlington Center".
The amendment was *rejected*.

Mr. Donnelly, Ms. Spilka, Messrs. DiDomenico and Kennedy, Ms. Jehlen and Messrs. Barrett and Michael O. Moore moved that the proposed new text be amended in section 2, in item 7004-0101, by inserting after the words "provided further, that notwithstanding any other general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for such shelter based on statements provided by the family and any other information in the possession of the department, but who need additional time to obtain any third-party verifications reasonably required by the department;" the following words:- "provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation providing that families who previously received shelter are ineligible for shelter benefits for a period of 12 months;".
After remarks, the amendment was **adopted.**

Ms. Donoghue, Mr. Barrett, Ms. Creem, Mr. Eldridge, Ms. Forry, Ms. Jehlen, Messrs. Lewis, Michael O. Moore, Rodrigues, Wolf, Keenan, Brownsberger and Finegold, Ms. Candaras, Ms. Chang-Diaz, Mr. Joyce, Ms. Spilka and Mr. McGee moved that the proposed new text be amended in section 2, by striking out item 4401-1000 and inserting in place thereof the following item:- "4401-1000 For employment and training services for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that all programs that received funding in FY14 shall receive not less than the same amount in FY15; provided further that not less than $2,000,000 shall be expended on a three-year pilot program called Pathways to Family Economic Self-Sufficiency, to equip low-income families for long-term economic stability, in consultation with the Commonwealth Corporation under contract with the Department of Transitional Assistance; provided further, that funds from this item may be expended on former recipients of the program for up to one year after termination of their benefits; provided further, that certain parents who have not yet reached the age of 18, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services…… 9,700,000".
The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended in section 2, by inserting after item 7003-0900 the following item:- "xxxx-xxxx For the operations of the Joint Labor Management Committee for Municipal Police and Fire ……..…… $200,000".
The amendment was *rejected*.

Messrs. Donnelly, DiDomenico and Brownsberger, Ms. Forry and Mr. Rush moved that the proposed new text be amended in section 2, in item 7003-1206, by adding at the end thereof the following: "; provided further, that $250,000 shall be expended towards workforce efforts at the Pine Street Inn in Boston".
The amendment was *rejected*.

Ms. Chandler moved that the proposed new text be amended in section 2, in item 7004-0104, by adding at the end thereof the following: "provided that $25,000 be expended for the Transition Age Youth Pilot Program in Central Massachusetts"; and by striking the figures "$1,400,000" and inserting in place thereof the figures "$1,425,000".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7004-0099, by adding at the end the following:- "; provided further, that no less than $100,000 shall be expended for the Chelsea Community Center for the rehabilitation of community based occupancy units"; and by striking out the figures "$6,460,145" and inserting in place thereof the figures "$6,560,145".
The amendment was *rejected*.

Ms. Chandler moved that the proposed new text be amended in section 2, in item 7006-0011, by adding at the end thereof the following: "provided that $194,000 by provided to Family Services of Central Massachusetts to implement the City of

Worcester's Foreclosure Mediation Program"; and by striking out the figures "$2,650,000" and inserting in place thereof the figures "$2,844,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. Forry and Messrs. Eldridge and DiDomenico moved that the proposed new text be amended in section 2, in item 7002-0017, by inserting at the end thereof the following words: "; provided, that funds shall be expended in the aggregate amount of $2,000,000 for the development of an online application and centralized waitlist to ease the process for applicants applying to state-aided public housing"; and by striking out the figure "$3,252,724" and inserting in place thereof the following figure:- "$5,252,724".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting after the word "organizations" the following:- "; provided that not less than $100,000 shall be expended for the Massachusetts Latino Chamber of Commerce;"; and by striking out the figure "$750,000" and inserting in place thereof the following figure:- "$850,000".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting after the word "organizations" the following words:- "; provided further that not less than $400,000 shall be expended for the Urban League of Springfield, Inc."; and by striking out the figure "$750,000" and inserting in place thereof the following figure:- "$1,150,000".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting after the word "organizations" the following words:- ";provided further that not less than $100,000 shall be expended for Springfield Partners for Community Action" and in said item 7003-1206 by striking out the figure "$750,000" and inserting in place thereof the following figure:- "$850,000"
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 7002-0012, by inserting after "continued" the following:- "; provided further that no less than $200,000 shall be expended for a grant program to St Mary's Center in Dorchester for the operation of the Women at Work program"; and by striking out the figures "$12,000,000" and inserting in place thereof the figures "12,200,000".
After remarks, the amendment was **adopted.**

Mr. Montigny moved that the proposed new text be amended in section 2, in item 7007-0952, "Provided further, that not less than $100,000 shall be expended for the Buttonwood Park Zoological Society to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the Greater New Bedford area".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided further, that $30,000 shall be provided for a public safety feasibility study in the Town of Merrimac".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided further, that $400,000 shall be provided for a public safety grant in the Town of Salisbury".
The amendment was *rejected*.

Ms. Spilka, Messrs. Wolf, Rodrigues and Eldridge, Ms. Candaras, Ms. Forry and Messrs. DiDomenico, Keenan, Brownsberger, Humason, Welch, Downing and Kennedy moved that the proposed new text be amended in section 2, in item 7003-0803, by striking out the figure "$4,250,982" and inserting in place thereof the figure:- "$9,000,000".
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting at the end the following:- "provided further, that $100,000 shall be spent to promote and advertise the From the Top program which promotes classical music to young people"; and by striking the figures "$10,933,979" and inserting in place thereof the figures "$11,033,979".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7003-1206, by adding at the end thereof the following:- "provided further, that not less than $124,888 shall be expended to Career Resources Corporation in Haverhill toward employment services for veterans with disabilities".
The amendment was *rejected*.

Mr. Lewis moved that the proposed new text be amended in section 2, by inserting after line item 7003-0606, the following item:-
"XXXX-XXXX For a grant to the Center for Women & Enterprise for the purpose of assisting women in education, job training, and entrepreneurship ..... $125,000".
The amendment was *rejected*.

Mr. Humason, Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided further, that not less than $100,000 shall be provided for the Galaxy Community Council for promoting and hosting the Great New England Air Show in the city of Chicopee;".
The amendment was *rejected*.

Ms. O'Connor Ives, Mr. Finegold and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7004-0108 by striking the words "provided further, that until a maximum family benefit is established by the department, the maximum family benefit available shall be $6,000;" and inserting in place thereof the words:- "provided further, that the maximum family benefit established by the department, shall be no less than $6,000;"; by striking out the figure "24" and inserting in place thereof the figure:- "12"; and by striking out the figures "$24,203,353", and inserting in place thereof the figures:- "$29,000,000".
After remarks, the amendment was *rejected*.

Ms. Jehlen, Messrs. Lewis, Eldridge, Brownsberger, Hedlund, Donnelly and Barrett and Ms. Creem moved that the proposed new text be amended by inserting the following new section:-
"SECTION XX. Chapter 128C of the General Laws is hereby amended by inserting after section 8 the following section:- Section 9. Betting or wagering on simulcast dog racing shall not be permitted."
After remarks, the amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended by inserting after section 85, the following 2 sections:-
"SECTION 85A. Section 92 of chapter 194 of the acts of 2011 is hereby amended by striking out the figure '2014' and inserting in place thereof the following figure:- 2016.
SECTION 85B. Section 112 of said chapter 194 is hereby amended by striking out the figure '2014' and inserting in place thereof the following figure:- 2016."
The amendment was **adopted.**

Moment of Silence.

At the request of the President, the members, guests and staff stood in a moment of silence and reflection to the memory of James Buckley.

Recess In Memory of James Buckley

The Senator from Hampshire, Franklin and Worcester, Mr. Rosenberg, moved that when the Senate recesses today, it do so in memory of James Buckley.

Jim Buckley, of Newton, died on May 18, 2014.

Jim attended Our Lady Help of Christians Church High School, Northeastern University and Bentley University. Jim was a veteran of the U.S. Coast Guard and worked over 20 years for the Mass State Legislature IT Department. He was a piano player and vocalist, and was also known for his band "The Execs", and entertained professionally for many years.

Over more than 20 years as an IT leader in the Legislature, Jim had different responsibilities and most recently managed customer services, business analysis and quality assurance. Jim was well versed in all aspects of technology, and possessed an ability to know the most pressing technology needs of the Legislature, while consistently delivering more than expected. He was also known for establishing trusted relationships throughout the Legislature and with outside vendors. In the State House, he energized his team to always do what was best for the Legislature and set the model for the rest of the IT department to follow. Jim's leadership was pivotal to the Legislature winning the NCSL Online Democracy Award in 2013.

Jim Buckley is survived by his beloved wife of 50 years, Margaret; his daughter Kathleen Buckley and son James Buckley, Jr.; his brother Lawrence. He is also survived by his four grandchildren, whom he loved spending his time with.

Our thoughts and prayers are with Jim's family and friends.

Accordingly, as a mark of respect in memory of James Buckley, twenty-eight minutes before ten o'clock P.M., on motion of Mr. Brewer, the Senate recessed to meet again on tomorrow next at ten o'clock A.M.

[being the legislative session of Wednesday, May 21, 2014.]

Met at ten o'clock A.M.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Committees Discharged.

Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration

Of the Senate Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing issues (Senate, No. 2148); and
Of the Senate Order relative to authorizing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study of certain current Senate documents relative to telecommunications, utilities and energy issues (Senate, No. 2151);
And recommending that the same severally be referred to the committee on Ethics and Rules.
Under Senate Rule 36, the reports were severally considered forthwith and accepted.

Resolutions.

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

Resolutions (filed by Mr. Richard T. Moore) "congratulating Salvatore 'Sal' Pilla of the town of Bellingham on being named the Grand Marshal of the 2014 Bellingham Memorial Day Parade";
Resolutions (filed by Mr. Rush) "congratulating Barrie H. Clough on the occasion of his retirement from the town of Dover";
Resolutions (filed by Mr. Tarr) "congratulating Timothy Caves on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Matthew Jelly Chadwick on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Blake Denman on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Brian Gibson on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating John Anthony Mosho on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Tyler R. Paul on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Scott W. Robinson on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Tarr) "congratulating Evan Sinclair Stentiford on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Mr. Tarr) "congratulating Zachery D. Tingdahl on his elevation to the rank of Eagle Scout."

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 relative to Quincy College (House, No. 3814, amended),-- **was read a third time.**
Pending the question on passing the bill to be engrossed, Mr. Keenan moved that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2153.
The amendment was adopted.
The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.

The House Bill relative to the town of Dennis Barrier Beach Protection Stabilization Fund (House, No. 3630),-- **was read a third time and passed to be engrossed, in concurrence.**

The Senate Bill relative to the financial condition of the city of North Adams (Senate, No. 2089),-- **was read a third time and passed to be engrossed.**
Sent to the House for concurrence.

Reports of Committees.

Mr. Rosenberg, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill relative to the state highway route 116 scenic byway (Senate, No. 1656)
There being no objection, the rules were suspended, on motion Mr. Downing, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in

the Third Reading to read as follows: "An Act relative to the state highway route 116 scenic byway corridor".
Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill establishing a sick leave bank for Alexis Baez, an employee of the Worcester Recovery Center and Hospital (Senate, No. 2088),-- **ought to pass, with an amendment substituting a new draft entitled "An Act establishing a sick leave bank for Alexis Baez, an employee of the Department of Mental Health" (Senate, No. 2154).**
There being no objection, the rules were suspended, on motion Mr. Michael O. Moore, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.
The bill (Senate, No. 2154) was then ordered to a third reading, read a third time and passed to be engrossed.
Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Anne Marie McDonough, an employee of the Trial Court (House, No. 4056),-- **ought to pass with an amendment inserting after the word "employee", in line 2, the following words:- "of the Dorchester division of the Boston municipal court department".**
There being no objection, the rules were suspended, on motion Ms. Forry, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.
The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed.
Sent to the House for concurrence in the amendmen

PAPER FROM THE HOUSE

Order – Adopted.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered forthwith, as follows:

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Thursday, July 31, 2014, within which time to make its final report on current Senate documents numbered 430 and 471, and House documents numbered 903, 915, 916, 931, 941, 956, 974, 976, 977, 984, and 995.
The rules were suspended, on motion of Mr. Petruccelli, and the order was considered forthwith; and, after remarks, was adopted, in concurrence.

Engrossed Bills.

The following engrossed bills (both of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

Relative to the Falmouth Historic District Commission (see Senate, No. 1941, changed); and
Establishing a charter for the town of Wrentham (see Senate, No. 2005).

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the temporary use of certain park lands in the city of Newton (see Senate, No. 1991) (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 twenty-two minutes past ten o'clock A.M., as follows, to wit *(yeas 37 - nays 0)* **[Yeas and Nays No. 327]:**

YEAS.

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. – **7.**

Moore, Richard T.

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. − **32.**

The yeas and nays having been completed at twenty-eight minutes past ten o'clock A.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.

Orders of the Day.

The Orders of the Day were further considered as follows:
The House Bill making appropriations for the fiscal year 2015 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 considered, the main question being on ordering it to a third reading.
Messrs. Montigny and Eldridge and Ms. Jehlen moved that the proposed new text be amended by inserting after section ___
"SECTION ___Subsection (l) of section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by adding the following paragraph:-
Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this subsection together with section 38X of chapter 63 for all productions, shall not exceed $40,000,000 for credits deemed attributable to any one fiscal year beginning with the fiscal year commencing on July 1, 2014.
SECTION___. Section 38X of chapter 63 of the General Laws, inserted by section 82 of chapter 173 of the acts of 2008, is hereby amended by adding the following subsection:-
(g) Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this section together with subsection (l) of section 6 of chapter 62 for all productions, shall not exceed $40,000,000 for credits deemed attributable to any one fiscal year, beginning with the fiscal year that commences on July 1, 2014.
SECTION___. In order to implement paragraph (8) of subsection (l) of section 6 of chapter 62 and subsection (g) of section 38X of chapter 63 of the General Laws, the department of revenue, in this section called the department, shall issue and implement rules or guidelines which may include but are not limited to the following:
(a) Any motion picture production company seeking a credit for a production that commences filming after January 23, 2014 shall file a production notice with the department, stating the amount of estimated expenses qualifying for the credit for the production and other information required by the department.
(b) Production notices received by the department on or after January 23, 2014 and before January 23, 2015 shall be considered to be attributable to fiscal year 2015 and shall reduce the available credit for fiscal year 2015, in the order in which they are received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices. Production notices received by the department in each subsequent 12 month period shall be considered to be attributable to each subsequent fiscal year and shall reduce the available credit for that fiscal year, in the order in which they are received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices.
(c) A production company shall not be allowed a credit for a production commencing filming after January 23, 2014 unless filming commences within 90 days after the department has responded favorably to the notice and any credit shall not be allowed in excess of the amount of credit calculated with respect to the estimated qualifying expenses stated in the notice. A production company that does not commence filming within the required 90 day period will not be allowed a credit for that production and the credit otherwise attributable to that production will be available to other productions subject to the notice procedures and credit limits contained in this subsection (c).
(d) All productions commencing filming after January 23, 2014 are subject to the notice procedures and credit limits provided in this subsection (C) and shall not qualify for any credit under subsection (l) of section 6 of chapter 62 or section 38X of chapter 63 of the General Laws in any fiscal year except as allowed through those notice procedures and subject to those credit limits.
(e) Credit certificates issued by the department that are attributed to a particular fiscal year under this section will reduce the available credits for such year regardless of the production dates to which those credit certificates relate.
SECTION___ Notwithstanding any general or special law to the contrary, all additional tax revenues generated or received by the Commonwealth as a result of the capping of the cumulative amount of tax credits allowed under subsection (l) of section 6 of chapter 62 of the General Laws together with section 38X of chapter 63 as provided herein in Section__ shall be used for the drug insurance program authorized in section 39 of chapter 19A of the general laws."
After debate, the amendment was *rejected*.

Messrs. Montigny and Eldridge moved that the proposed new text be amended by inserting after section _, the following new sections:-
"SECTION__
(P) Section 1 of chapter 64G of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after paragraph (b) thereof the following paragraph:-
(b1/2) 'Doing business in the commonwealth', ownership or operation of a bed and breakfast establishment, hotel, lodging house or motel that is located in the commonwealth, maintenance otherwise of a place of business in the commonwealth, the presence of an employee in the commonwealth on more than a de minimis basis, solicitation in the commonwealth of orders for transfer of occupancy of accommodations located in the commonwealth, solicitation in the commonwealth by a reseller of a contract or other cooperative arrangement with an operator with respect to accommodations located in the commonwealth, inspection in the commonwealth of accommodations that may be the subject of a cooperative arrangement between an operator and a reseller, or other exploitation of the market for accommodations or resale of accommodations located in the commonwealth by any means whatsoever, including, but not limited to, salesmen, solicitors or representatives in the commonwealth, whether those salesmen, solicitors or representatives are employed by the operator or reseller, by a person affiliated with the operator or the reseller by common ownership, or by any other party. This definition is intended to extend the jurisdiction of the commonwealth over operators and resellers to the full extent authorized by the Constitution and the laws of the United States.
(Q) Said section 1 of said chapter 64G, as so appearing, is hereby further amended by inserting after the word 'operator', in line 49, the following words:- or the room reseller.

(R) Said section 1 of said chapter 64G, as so appearing, is hereby further amended by adding the following paragraphs:-
(k) ‘Room reseller’ or ‘Reseller’, any person having any right, permission, license, or other authority from or through an operator to reserve or arrange transfer of occupancy of accommodations the transfer of which is subject to this chapter, such that the occupant pays all or a portion of the rent to the reseller. The term ‘Room Reseller’ or ‘Reseller’ includes, but is not limited to, sellers of travel packages as defined in this chapter.
(l) ‘Travel package,’ a room or rooms bundled with 1 or more separate components such as air transportation, car rental or similar items and charged to the customer or occupant for a single retail price.
(S) Said chapter 64G is hereby further amended by striking out section 3 and inserting in place thereof the following section:
Section 3. An excise is hereby imposed upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house, or motel in this commonwealth by any operator or room reseller doing business in the commonwealth at the rate of 5 per cent of the total amount of rent for each occupancy. No excise shall be imposed if the total amount of rent paid by the occupant is less than $15 per day or its equivalent. The operator or room reseller shall pay the excise to the commissioner at the time provided for filing the return required by section 16 of chapter 62C.
The value of the transfer of any room or rooms bundled as part of a travel package may be determined from the room reseller's books and records that are kept in the regular course of business.
(T) The first paragraph of section 3A of said chapter 64G, as appearing in the 2012 Official Edition, is hereby amended by striking out the first, second and third sentences and inserting in place thereof the following 3 sentences:- A city or town that accepts this section may impose a local excise tax upon the transfer of occupancy of any room or rooms in a bed and breakfast establishment, hotel, lodging house or motel located within the city or town by any operator or room reseller at a rate up to, but not exceeding, 6 per cent of the total amount of rent paid by the occupant for the occupancy, but the city of Boston may impose a local excise upon the transfer of occupancy of any room in a bed and breakfast establishment, hotel, lodging house or motel located within the city by any operator or room reseller at the rate of up to but not exceeding 6.5 per cent of the total amount of rent paid by the occupant for the occupancy. No excise shall be imposed if the total amount of rent paid by the occupant is less than $15 per day or its equivalent or if the accommodation is exempt under section 2. The operator or room reseller shall pay the local excise tax imposed under this section to the commissioner at the same time and in the same manner as the excise tax due the commonwealth.
(U) Said chapter 64G is hereby further amended by striking out sections 4 to 6, inclusive, and inserting in place thereof the following 4 sections:
Section 3B. Notwithstanding any other provision of this chapter, in cases in which occupancy is transferred through the use of a room reseller, the application of the excise shall be as follows: If the room reseller is required to register under section 6 to collect the excise, the room reseller shall collect and pay to the commissioner the excise upon the amount of rent paid by the occupant to the room reseller, less the amount of rent that the reseller has paid to the operator. Whether or not the room reseller is so registered, the operator shall collect and pay to the commissioner the excise upon the amount of rent paid to the operator by the reseller or the occupant.
No assessment shall be made against an operator on the basis of an incorrect remittance of the excise under this chapter by an unaffiliated room reseller and no assessment shall be made against a room reseller on the basis of an incorrect remittance of the excise under this chapter by an unaffiliated operator.
Section 4. Reimbursement for the excise imposed under sections 3 and 3A shall be paid by the occupant or the room reseller to the operator and by the occupant to the room reseller, as the case may be, and each operator and room reseller doing business in the commonwealth shall add to the rent and shall collect from the occupant or the room reseller the full amount of the excise imposed, in accordance with sections 3 and 3A, and that excise shall be a debt to the operator or room reseller, when so added to the rent, and shall be recoverable at law in the same manner as other debts.
Section 5. The amount of the excise collected by the operator or the room reseller under this chapter shall be stated and charged separately from the rent and shown separately on any record thereof at the time the transfer of occupancy is made, or on any evidence of the transfer issued or used by the operator or the room reseller. A room reseller shall not be required to disclose to the occupant the amount of tax charged by the operator. The reseller shall represent to the occupant that the separately stated taxes charged by the reseller include taxes charged by the operator.
Section 6. No person shall operate a bed and breakfast establishment, hotel, lodging house or motel in this commonwealth, or do business as a room reseller in the commonwealth, unless a certificate of registration has been issued to that person in accordance with section 67 of chapter 62C.
(V) Section 7A of said chapter 64G, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word ‘operator’, in line 1 and in line 7, the following words:- or room reseller .
(W) Said chapter 64G is hereby further amended by striking out section 7B and inserting in place thereof the following section:-
Section 7B. Every operator or room reseller who fails to pay to the commissioner any sums required to be paid by this chapter shall be personally and individually liable for those amounts to the commonwealth. The terms ‘operator’ and ‘room reseller’, as used in this section, include an officer or employee of a corporation, or a member or employee of a partnership, who as an officer, employee or member is under a duty to pay over the taxes imposed by this chapter.
(X) Section 12 of said chapter 64G, as so appearing, is hereby amended by inserting after the word ‘operator’, in line 5, the following words:- and each room reseller.
(Y) For purposes of the convention center surcharge imposed by section 9 of chapter 152 of the acts of 1997, as amended, the term ‘operator’ shall mean ‘operator or room reseller.’
(Z) Subsections (P) to (Y), inclusive, shall be effective for transfers of occupancy subject to the excise under chapter 64G of the

General Laws, commencing on or after August 1, 2014.
Section ___ Any revenues generated by Sections _____ to _____ of this act shall be used to supplement the funding of the department of veterans' services provided in line item 1410-0400 of this act and shall be expended only for the purposes set forth in line item 1410-0400.
Section___ Section 6 of chapter 115 of the General Laws, as appearing in 2012 Official Edition, is hereby amended by striking the words ‘seventy five percent’ in line 19 and inserting in their place, the words ‘one hundred percent’.”
The amendment was *rejected*.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section__, the following sections:-
“SECTION__. Subsection (a) of section 172 of chapter 6 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following clause:-
(31) Navigator organizations certified by the commonwealth health insurance connector in accordance with section 1311(i) of Public Law 111-148, 42 U.S.C. 18031, may obtain from the department data permitted under section 172L.
SECTION__. Section 172A of said chapter 6, as so appearing, is hereby further amended by inserting after the word ‘entity’, in line 7, the following words:- , including any requests from navigator organizations certified by the commonwealth health insurance connector authority in accordance with section 1311(i) of Public Law 111-148, 42 U.S.C. 18031.
SECTION__. Said chapter 6 is hereby amended by inserting after section 172K the following section:-
Section 172L. Navigator organizations certified by the commonwealth health insurance connector in accordance with section 1311(i) of Public Law 111-148, 42 U.S.C. 18031 shall obtain from the department all available criminal offender record information prior to accepting any person as a new employee. Navigator organizations shall obtain from the department periodically, but not less frequently than every 3 years, all available criminal offender record information of current employees. Any organization obtaining information pursuant to this section shall not disseminate such information for any purpose other than the protection of persons utilizing a navigator organization’s services.
SECTION__. Navigator organizations certified by the commonwealth health insurance connector in accordance with section 1311(i) of Public Law 111-148, 42 U.S.C shall obtain from the department of criminal justice information services all available criminal offender record information, as that term is defined in section 167 of chapter 6 of the General Laws, of all current employees within 1 year of the effective date of this act. Any organization obtaining information pursuant to this section shall not disseminate such information for any purpose other than the protection of persons utilizing a navigator organization’s services.”
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes before eleven o'clock A.M., on motion of Mr. Tarr, as follows, to wit *(yeas 32 — nays 6)* **[Yeas and Nays No. 328]:**

YEAS.

Barrett, Michael J.	**McGee, Thomas M.**
Brewer, Stephen M.	**Montigny, Mark C.**
Brownsberger, William N.	**Moore, Michael O.**
Candaras, Gale D.	**Moore, Richard T.**
Chandler, Harriette L.	**O'Connor Ives, Kathleen**
Chang-Diaz, Sonia	**Pacheco, Marc R.**
DiDomenico, Sal N.	**Petruccelli, Anthony**
Donoghue, Eileen M.	**Rodrigues, Michael J.**
Flanagan, Jennifer L.	**Rosenberg, Stanley C.**
Forry, Linda Dorcena	**Ross, Richard J.**

Humason, Donald F., Jr.	**Rush, Michael F.**
Joyce, Brian A.	**Spilka, Karen E.**
Keenan, John F.	**Tarr, Bruce E.**
Kennedy, Thomas P.	**Timilty, James E.**
Lewis, Jason M.	**Welch, James T.**
Lovely, Joan B.	**Wolf, Daniel A. − 32.**

NAYS.

Creem, Cynthia Stone	**Eldridge, James B.**
Donnelly, Kenneth J.	**Hedlund, Robert L.**
Downing, Benjamin B.	**Jehlen, Patricia D. − 6.**

ABSENT OR NOT VOTING.

Finegold, Barry R. − 1.

The yeas and nays having been completed at one minute before eleven o'clock A.M., the amendment was adopted.

Mr. Montigny moved that the proposed new text be amended by inserting after section____, the following sections:-
"SECTION___. Section 1. Chapter 12 of the General Laws is hereby amended by inserting after section 8F the following section:-
Section 8F 1/2. (a) For the purposes of this section, the following words shall have the following meanings:-
'Compensation', anything given or received for or on account of services, not including (i) reimbursement for costs and expenses reasonably incurred by the independent officer, director or trustee in the course and support of such service, or (ii) any noncash items of value that may be set forth in regulations by the attorney general.
'Independent officer, director or trustee', an officer, director or trustee of a public charity, not including an employee of the public charity or an employee of a subsidiary or affiliate of the public charity.
'Massachusetts based public charity', a public charity incorporated or otherwise organized in Massachusetts or, if incorporated or organized outside of Massachusetts, that primarily conducts its business in Massachusetts.
'Professional fiduciary services', fiduciary services provided as part of the ordinary course of the trade or business of an individual or institution.
(b) No Massachusetts based public charity required to be registered under section 8E and to file annual reports under section 8F shall provide compensation to any independent officer, director or trustee for service as an independent officer, director or trustee except with the approval of the attorney general under this section; provided, however, that an independent officer, director or trustee who provides professional fiduciary services to a Massachusetts based public charity may receive compensation for providing those services but shall not receive compensation for otherwise serving as an independent officer, director or trustee except with the approval of the attorney general under this section.
Any Massachusetts based public charity intending to provide compensation to any independent officer, director or trustee shall file an application with the division, on the forms and with the supporting information and documentation as the attorney general shall from time to time prescribe, requesting the approval of the attorney general to provide compensation.
The attorney general may adopt and promulgate guidelines, rules or regulations to carry out the provisions of this section including, but not limited to, the criteria for granting approval and the time period during which the approval shall be

effective. The criteria shall recognize that service as an independent officer, director or trustee of a public charity is recognized as a voluntary contribution of time and expertise to benefit the community served by the public charity and that any departure from the voluntary nature of that service requires a clear and convincing showing that compensation is necessary to enable the public charity to attract and retain experienced and competent individuals to serve as independent officers, directors or trustees. These regulations may also authorize the attorney general to exempt categories of charities from the prohibition of this section if the exemption serves the public interest. Any regulations allowing for an exemption shall set forth the criteria for granting an exemption.

If the attorney general approves an application for compensation, the amount paid as compensation shall be limited to the amount the Massachusetts based public charity reasonably determines to be necessary to accomplish the purposes for which compensation is paid. The attorney general may rescind the approval for compensation if he finds that any compensation paid under this section is in excess of that reasonably necessary to accomplish the purposes for which compensation is approved and paid.

SECTION 2. Section 1 shall take effect 6 months after the effective date of this act."

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at ten minutes past eleven o'clock A.M., on motion of Mr. Montigny, as follows, to wit *(yeas 8 — nays 31)* [Yeas and Nays No. 329]:

YEAS.

Donnelly, Kenneth J.	**Lewis, Jason M.**
Downing, Benjamin B.	**Montigny, Mark C.**
Jehlen, Patricia D.	**Rush, Michael F.**
Joyce, Brian A.	**Wolf, Daniel A. − 8.**

NAYS.

Barrett, Michael J.	**Kennedy, Thomas P.**
Brewer, Stephen M.	**Lovely, Joan B.**
Brownsberger, William N.	**McGee, Thomas M.**
Candaras, Gale D.	**Moore, Michael O.**
Chandler, Harriette L.	**Moore, Richard T.**
Chang-Diaz, Sonia	**O'Connor Ives, Kathleen**
Creem, Cynthia Stone	**Pacheco, Marc R.**
DiDomenico, Sal N.	**Petruccelli, Anthony**
Donoghue, Eileen M.	**Rodrigues, Michael J.**
Eldridge, James B.	**Rosenberg, Stanley C.**

Finegold, Barry R.	**Ross, Richard J.**
Flanagan, Jennifer L.	**Spilka, Karen E.**
Forry, Linda Dorcena	**Tarr, Bruce E.**
Hedlund, Robert L.	**Timilty, James E.**
Humason, Donald F., Jr.	**Welch, James T. − 31.**
Keenan, John F.	

The yeas and nays having been completed at thirteen minutes past eleven o'clock A.M., the amendment was *rejected*.

Messrs. Michael O. Moore and Tarr moved that the proposed new text be amended by inserting after section 56, the following section:-
"SECTION 56A. Section 1 of chapter 94C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the definition of 'controlled substance' and inserting in place thereof the following 2 definitions:-
'Controlled substance', a drug, substance, controlled substance analogue or immediate precursor in any schedule or class referred to in this chapter.
'Controlled substance analogue', (1) a drug or substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Class A, B, C, D or E, listed in section 31 and which has a stimulant, depressant, or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant, or hallucinogenic effect on the central nervous system of a controlled substance in Class A, B, C, D or E, listed in said section 31 or (2) a drug or substance with a chemical structure substantially similar to the chemical structure of a controlled substance in Class A, B, C, D or E, listed in section 31 and with respect to a particular person, which such person represents or intends to have a stimulant, depressant or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the stimulant, depressant or hallucinogenic effect on the central nervous system of a controlled substance in Class A, B, C, D or E, listed in said section 31; provided, however, that the term shall not include: (i) a controlled substance, (ii) any substance for which there is an approved new drug application, (iii) with respect to a particular person any substance, if an exception is in effect for investigational use, for that person, under section 8 to the extent conduct with respect to the substance is pursuant to such exemption or (iv) any substance to the extent not intended for human consumption before such an exemption takes effect with respect to that substance. For the purposes of this chapter, a controlled substance analogue shall be treated as the Class A, B, C, D or E substance, of which it is a controlled substance analogue."; and
By inserting after section 57, the following section:-
"SECTION 57A. Class C of section 31 of said chapter 94C, as so appearing, is hereby amended by inserting after subsection (e) the following subsection:-
(f) Unless specifically excepted or listed in another schedule, any material, compound, mixture or preparation, which contains any quantity of the following hallucinogenic substances or cannabimimetic agents within the structural classes identified below:
(1) 2-(3-hydroxycyclohexyl) phenol with substitution at the 5-position of the phenolic ring by alkyl or alkenyl, whether or not substituted on the cyclohexyl ring to any extent;
(2) 3-(1-naphthoyl) indole or 3-(1-naphthyl) indole by substitution at the nitrogen atom of the indole ring, whether or not further substituted on the indole ring to any extent, whether or not substituted on the naphthoyl or naphthyl ring to any extent;
(3) 3-(1-naphthoyl) pyrrole by substitution at the nitrogen atom of the pyrrole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the naphthoyl ring to any extent;
(4) 1-(1-naphthylmethyl) indene by substitution of the 3-position of the indene ring, whether or not further substituted in the indene ring to any extent, whether or not substituted on the naphthyl ring to any extent;
(5) 3-phenylacetylindole or 3-benzoylindole by substitution at the nitrogen atom of the indole ring, whether or not further substituted in the indole ring to any extent, whether or not substituted on the phenyl ring to any extent;
(6) 5-(1,1-dimethylheptyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (CP-47,497);
(7) 5-(1,1-dimethyloctyl)-2-[(1R,3S)-3-hydroxycyclohexyl]-phenol (cannabicyclohexanol or CP-47,497 C8-homolog);

(8) 1-pentyl-3-(1-naphthoyl) indole (JWH-018 and AM678);
(9) 1-butyl-3-(1-naphthoyl) indole (JWH-073);
(10) 1-hexyl-3-(1-naphthoyl) indole (JWH-019);
(11) 1-[2-(4-morpholinyl)ethyl]-3-(1-naphthoyl) indole (JWH-200);
(12) 1-pentyl-3-(2-methoxyphenylacetyl) indole (JWH-250);
(13) 1-pentyl-3-[1-(4-methoxynaphthoyl)] indole (JWH-081);
(14) 1-pentyl-3-(4-methyl-1-naphthoyl) indole (JWH-122);
(15) 1-pentyl-3-(4-chloro-1-naphthoyl) indole (JWH-398);
(16) 1-(5-fluoropentyl)-3-(1-naphthoyl) indole (AM2201);
(17) 1-(5-fluoropentyl)-3-(2-iodobenzoyl) indole (AM694);
(18) 1-pentyl-3-[(4-methoxy)-benzoyl] indole (SR-19 and RCS-4);
(19) 1-cyclohexylethyl-3-(2-methoxyphenylacetyl) indole (SR-18 and RCS-8); and
(20) 1-pentyl-3-(2-chlorophenylacetyl) indole (JWH-203).”
After remarks, the amendment was adopted.

Messrs. Ross, Tarr, Hedlund, Michael O. Moore and Humason moved that the the proposed new text be amended by inserting after section 75, the following 6 sections:-
“SECTION 75A. Section 121 of chapter 140 of the General Laws, as so appearing, is hereby amended by striking out, in lines 6 to 8, inclusive, the words ‘chemical mace or any device or instrument which contains or emits a liquid, gas, powder or any other substance designed to incapacitate’.
SECTION 75B. Said chapter 140 is hereby further amended by inserting the following 2 sections:-
Section 122C. (a) As used in this section and section 122D, ‘self-defense spray’ shall mean chemical mace, pepper spray or any device or instrument which contains, propels or emits a liquid, gas, powder or other substance designed to incapacitate.
(b) Whoever, not being licensed as provided in section 122B, sells self-defense spray shall be punished by a fine of not less than $500 nor more than $1,000 or by imprisonment in a house of correction for not less than 6 months nor more than 2 years.
(c) Whoever sells self-defense spray to a person less than 18 years of age, if the person under 18 years age does not have a firearms identification card, shall be punished by a fine of not more than $300.
(d) A person under 18 years of age who possesses self-defense spray and who does not have a firearms identification card shall be punished by a fine of not more than $300.
Section 122D. No person shall purchase or possess self-defense spray who:
(i) in a court of the commonwealth, has been convicted or adjudicated a youthful offender or delinquent child as defined in section 52 of chapter 119, for the commission of: (A) a felony; (B) a misdemeanor punishable by imprisonment for more than 2 years; (C) a violent crime as defined in section 121; (D) a violation of any law regulating the use, possession, ownership, transfer, purchase, sale, lease, rental, receipt or transportation of weapons or ammunition for which a term of imprisonment may be imposed; or (E) a violation of any law regulating the use, possession or sale of a controlled substance as defined in section 1 of chapter 94C including, but not limited to, a violation under said chapter 94C; provided, however, that except for the commission of a violent crime or a crime involving the trafficking of controlled substances, if the person has been so convicted or adjudicated or released from confinement, probation or parole supervision for such conviction or adjudication, whichever is last occurring, not less than 5 years immediately preceding such purchase or possession, such person may purchase or possess self-defense spray;
(ii) in any other state or federal jurisdiction, has been convicted or adjudicated a youthful offender or delinquent child for the commission of: (A) a felony; (B) a misdemeanor punishable by imprisonment for more than 2 years; (C) a violent crime as defined in section 121; (D) a violation of any law regulating the use, possession, ownership, transfer, purchase, sale, lease, rental, receipt or transportation of weapons or ammunition for which a term of imprisonment may be imposed; or (E) a violation of any law regulating the use, possession or sale of a controlled substance as defined in section 1 of chapter 94C; provided, however, that, except for the commission of a violent crime or a crime involving the trafficking of weapons or controlled substances, if the person has been so convicted or adjudicated or released from confinement, probation or parole supervision for such conviction or adjudication, whichever is last occurring, not less than 5 years immediately preceding such purchase or possession and such applicant's right or ability to possess a rifle or shotgun has been fully restored in the jurisdiction wherein the subject conviction or adjudication was entered, such person may purchase or possess self-defense spray;
(iii) has been confined to any hospital or institution for mental illness unless the person obtains, prior to purchase or possession, an affidavit of a registered physician attesting that such physician is familiar with the applicant's mental illness and that in such physician's opinion the applicant is not disabled by such an illness in a manner that should prevent the applicant from possessing self-defense spray;
(iv) is or has been under treatment for or confined for drug addiction or habitual drunkenness unless such person is deemed to be cured of such condition by a licensed physician, in which case, such person may purchase or possess self-defense spray after the expiration of 5 years from the date of such confinement or treatment; provided, however, that prior to such purchase or possession of self-defense spray, the applicant shall submit an affidavit issued by the licensed physician to the effect that such physician knows the person’s history of treatment and that in such physician's opinion

the applicant is deemed cured;
(v) at the time of the application, is less than 15 years of age;
(vi) at the time of the application, is at least 15 but less than 18 years of age unless the applicant submits with the application a certificate from the applicant's parent or guardian granting the applicant permission to apply for a card;
(vii) is an alien;
(viii) is currently subject to: (A) an order for suspension or surrender issued pursuant to section 3B or 3C of chapter 209A or section 7 of chapter 258E; or (B) a permanent or temporary protection order issued pursuant to chapter 209A or section 7 of chapter 258E; or
(ix) is currently the subject of an outstanding arrest warrant in any state or federal jurisdiction.
Whoever purchases or possesses self-defense spray in violation of this section shall be punished by a fine of not less than $500 nor more than $1,000 or by imprisonment in a house of correction for not less than 6 months nor more than 2 years.
SECTION 75C. Section 129B of said chapter 140, as so appearing, is hereby amended by inserting after the word 'card', in line 141, the following words: issued pursuant to subclause (vi) of clause (1).
SECTION 75D. Said section 129B of said chapter 140, as so appearing, is hereby further amended by inserting after the word 'issued', in lines 155 and 206, each time it appears, the following words:- pursuant to subclause (vi) of clause (1).
SECTION 75E. Section 131 of said chapter 140, as so appearing, is amended by striking out subsection (c) and inserting in place thereof the following subsection:-
(c) A Class A and a Class B license shall each be valid for the purpose of owning, possessing, purchasing and transferring non-large capacity rifles and shotguns, consistent with the entitlements conferred by a firearm identification card issued under section 129B.
SECTION 75F. Section 131P of said chapter 140, as so appearing, is hereby amended by striking out, in lines 12 to 17, inclusive, the words '; and provided further, that an applicant for a firearms identification card for the sole purpose of purchasing or possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate shall not be required to complete a basic firearms safety course as a prerequisite for receiving such card'."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-three minutes past eleven o'clock A.M., on motion of Mr. Tarr, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 330]:

YEAS.

Barrett, Michael J.	**Kennedy, Thomas P.**
Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**O'Connor Ives, Kathleen**
Donnelly, Kenneth J.	**Pacheco, Marc R.**
Donoghue, Eileen M.	**Petruccelli, Anthony**
Downing, Benjamin B.	**Rodrigues, Michael J.**

Eldridge, James B.	**Rosenberg, Stanley C.**
Finegold, Barry R.	**Ross, Richard J.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Hedlund, Robert L.	**Tarr, Bruce E.**
Humason, Donald F., Jr.	**Timilty, James E.**
Jehlen, Patricia D.	**Welch, James T.**
Joyce, Brian A.	**Wolf, Daniel A. - 39.**
Keenan, John F.	

NAYS − 0.

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

Recess.

There being no objection, at twenty-seven minutes past eleven o'clock A.M., the President declared a recess subject to the call of the Chair; and, at twenty-four minutes past twelve o'clock noon, 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 2015 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 considered.

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

Mr. Montigny, Ms. Chandler, Messrs. Lewis, Michael O. Moore, Rush and Rodrigues, Ms. Forry, Ms. Spilka, Messrs. Welch, Eldridge and McGee, Ms. O'Connor Ives and Mr. Tarr moved that the proposed new text be amended by adding the following section:-
"SECTION ____. Chapter 111 of the General Laws is hereby amended by striking out section 4M and inserting in place thereof the following section:-
Section 4M. Subject to appropriation, the department shall:
(1) conduct a needs assessment to determine the incidence and prevalence of hepatitis B virus, and hepatitis C virus in the commonwealth;
(2) develop and implement a program to prevent further transmission of viral hepatitis and to prevent onset of chronic liver disease caused by viral hepatitis;
(3) develop and implement a statewide public education and community outreach program to raise awareness and promote prevention of viral hepatitis;
(4) develop or approve evidence-based educational materials on the risks, diagnosis, treatment and prevention of viral hepatitis; provided that, the materials shall be made available in written and electronic form and shall be targeted to physicians and other health care providers and high-risk populations subject to an increased risk of contracting viral hepatitis as determined by the department;

(5) support the establishment and maintenance of a chronic and acute hepatitis B and hepatitis C surveillance program, in order to identify: (i) trends in the incidence of acute and chronic hepatitis B and acute and chronic hepatitis C, (ii) trends in the prevalence of acute and chronic hepatitis B and acute and chronic hepatitis C infection among groups that may be disproportionately affected, and (iii) trends in liver cancer and end-stage liver disease incidence and deaths caused by chronic hepatitis B and chronic hepatitis C in high-risk populations; and
(6) annually report on the department's viral hepatitis education, awareness and prevention education and community outreach efforts to the joint committee on public health on or before January 1.
SECTION ____. Chapter 111 of the General Laws is hereby amended by inserting after section 4M the following section:- Section 4M 1/2. (a) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:- 'Hepatitis C screening test', any FDA-approved laboratory screening test, FDA-approved rapid point-of-care test, or other FDA-approved tests that detect the presence of hepatitis C antibodies in the blood. 'Hepatitis C diagnostic test', a laboratory test that detects the presence of hepatitis C virus in the blood and provides confirmation of whether the person whose blood is being tested has a hepatitis C virus infection. (b) Every individual born between the years of 1945 and 1965 who receives health care services from a primary care provider shall be offered a hepatitis C screening test or Hepatitis C diagnostic test unless the provider believes that: (i) the individual is being treated for a life threatening emergency; or (ii) the individual has previously been offered or has received a hepatitis screening test; or (iii) the individual lacks capacity to consent to a hepatitis C screening test.
The amendment was adopted.

Ms. Chandler moved that the proposed new text be amended by inserting after section___, the following section:-
"SECTION___. Notwithstanding section 20 (b) of chapter 25 or any other general or special law to the contrary, the Massachusetts Clean Energy Technology Center may expend up to $2,000,000 from the Massachusetts Renewable Energy Trust Fund for the purpose of purchasing Renewable Energy Certificates from the Princeton Municipal Light Department."
The amendment was adopted.

Ms. Creem and Mr. Rush moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION XX. Chapter 624 of the Acts of 1986 is hereby amended in Section 5 by striking the following:- 'construction of the Framingham extension relief sewer' and inserting in its place the following:- 'rehabilitation of Elm Bank'."
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 1599-0026, by inserting the following:- "; provided further, that $300,000 shall be expended to reimburse the town of Milton for funds expended pursuant to chapter 349 of the acts of 2010".
The amendment was adopted.

Mr. Kennedy moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION __. Notwithstanding the provision of section 37O of chapter 71 of the General Laws, or any other general or special law to the contrary, the official anti-bullying seal for the school district of Hanover shall be the 'Rise Above Bullying' seal as created by the Cedar Elementary School in the town of Hanover."
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 1599-0026, by inserting at the end thereof the following:- "; provided further, that $250,000 shall be expended for the restoration, renovation, improvement and expansion of critical historical, educational and community resources in the historic Easton town center".
The amendment was adopted.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 0320-0010 by striking out the figures "$1,462,119" and inserting in place there of the following figures:- "$1,514,490"; and
By inserting at the end the following section:-
"SECTION XX. Section 28D1/2 of Chapter 278 of the General Laws, as appearing in the 2012 official addition, is hereby amended by inserting at the end the following words:-
The first assistant clerk and the second assistant clerk of the appellate division shall receive from the Commonwealth as salary an amount equal to 10 percent of, an in addition to, the salaries established and paid to them as the first assistant clerk and second assistant clerk, respectively, of the superior court for criminal business in the County of Suffolk.
An Employee of the office of the clerk of the superior court for criminal business in the County of Suffolk shall be designated by the clerk as the clerical assistant in matters pertaining to the business of the appellate division. The clerical assistant, so designated, shall receive from the Commonwealth as salary an amount equal to 10 percent of, and in addition to, the salary established and paid to said employee in the position held by said employee in the office of the clerk."
The amendment was adopted.

Messrs. Brownsberger and Eldridge, Ms. Creem and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 0321-2100, by striking the figures "$1,129,584" in item 0321-2100 and inserting in place thereof the figures "$1,209,696".
The amendment was adopted.

Mr. Rush moved that the proposed new text be amended in section 2, in item 1599-0026, by adding at the end thereof the following:- ", and provided further that not less than $200,000 shall be expended for the Mother Brook Arts and Community Center in the town of Dedham"; and by striking out the figures "$6,400,000" and inserting in place thereof the figures "6,600,000".
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended by inserting after section 4, the following new section:-
"SECTION 4A. Section 97 of chapter 6 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-
(c) Whenever a state entity issues bonds or notes maturing at a time later than 3 years from their dates, excepting such bonds or notes as are to be issued for the investment of cash in any of the sinking or other established funds of the commonwealth, the state entity shall solicit bids for the purchase thereof and shall provide reasonable notice to the public of such solicitations. The state entity may reserve the right to reject any or all bids. If no bid is accepted, the whole or any part of the loan may be awarded to any person. Compliance with this section may be waived with respect to an issue of bonds or notes upon the approval of the state finance and governance board established in this section."; and
By inserting after section 44 the following 3 sections:-
"SECTION 44A. Chapter 44 of the General Laws is hereby amended by inserting after section 2 the following section:-
Section 2A. (a) Whenever a municipality issues bonds or notes maturing at a time later than 3 years from their dates, excepting such bonds or notes as are to be issued for the investment of cash in any of the sinking or other established funds of the commonwealth, the municipality shall solicit bids for the purchase thereof and shall provide reasonable notice to the public of such solicitations. The municipality may reserve the right to reject any or all bids. If no bid is accepted, the whole or any part of the loan may be awarded to any person. Compliance with this section may be waived with respect to an issue of bonds or notes upon the approval of the municipal finance oversight board.
(b) Any municipality issuing bonds or notes pursuant to subsection (a) may seek the consultation of the municipal finance oversight board as defined in section 1 of chapter 44A.
(c) Annually, on or before July 15, a municipal issuer shall submit a report to the municipal finance oversight board that includes, but shall not be limited to:
(i) a copy of the municipality's debt management-related policies;
(ii) compliance with restrictions on debt issuance including, but not limited to, the restrictions set forth in this chapter 44;
(iii) total debt outstanding;
(iv) existing borrowing capacity; and
(v) credit ratings and rating agencies management and communications.
SECTION 44B. Section 1 of chapter 44A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the definition of 'Municipal finance oversight board' or 'Board' and inserting in place thereof the following definition:-
'Municipal finance oversight board' or 'Board', a board composed of the following voting members: the state treasurer, who shall serve as chair; the secretary of administration and finance; the comptroller; the attorney general; the state auditor; the director of accounts in the department of revenue; 1 person to be appointed by the governor who shall be an expert in public finance and who shall be a resident of the commonwealth; and 2 persons to be appointed by the state treasurer who shall be local government finance officials; provided, however, that the board shall also be composed of the following nonvoting members: the chairs and the ranking minority members of the senate and house committees on bonding, capital expenditures and state assets and the chairs and ranking minority members of the senate and house committees on ways and means; provided further, that a voting member may delegate that member's appointment; provided further, that the person appointed by the governor and the state treasurer shall serve terms established by their appointing authority but not longer than 4 years; and provided further, that each appointed person may second or subsequent terms and may continue to serve after the expiration of their term if desired by the appointing authority."; and
SECTION 44C. Said chapter 44A is hereby further amended by inserting after section 1 the following section:-
SECTION 1A. (a) The board shall provide technical assistance and continuing education to local government officials on the practices and strategies for public debt issuance and investing public funds and shall assist local financing authorities and commissions in carry out their responsibilities. The assistance may include, but shall not be limited to, the following:-
(i) the terms of the debt to be issued including, but not limited to, the purpose of the issuance, the amount issued, the interest rate and the amortization period;
(ii) prudent issuance costs including, but not limited to, rating agency fees, bond insurance premiums, printing costs, filing fees, trustee or paying agent fees, financial advisor fees and legal fees;
(iii) the selection process for professional services, where applicable;
(iv) the method of sale determination, whether competitive or negotiated; and

(v) the effect of the issuance on the entity's debt affordability and borrowing capacity.
(b) The board shall submit an annual report to the clerks of the senate and house of representatives not later than October 1. The annual report shall include: (i) a comprehensive list of the local financing authorities assisted, including the type of assistance provided and the terms of any debt issued following the board's assistance; (ii) a comprehensive analysis of the information provided to the board under section 2A of chapter 44; and (iii) recommendations on legislative, policy, regulatory and administrative changes to improve the sale and servicing of debt, if any."
The amendment was adopted.

Mr. Downing moved that the proposed new text be amended in section 2, in item 1599-0026, by adding the following words:- "; provided further, that $750,000 shall be expended as a 1-time grant to the city of North Adams to backfill forgone payments in lieu of taxes, sewer, water and other fees not paid by Northern Berkshire Healthcare, Inc. and for other extraordinary costs related to the closure of a certain hospital in the town of North Adams"; and by striking out the figure "$6,400,000" and inserting in place thereof the following figure:- "$7,150,000".
The amendment was adopted.

Ms. Candaras, Messrs. DiDomenico and Brownsberger, Ms. Chang-Diaz, Messrs. Donnelly, Lewis, Welch, Wolf and Eldridge, Ms. Forry and Ms. Creem moved that the proposed new text be amended in section 2, in item 0950-0050, by striking out the figure "$200,000" and inserting in place thereof the following figure:- "$300,000".
The amendment was adopted.

Messrs. Downing and Humason moved that the proposed new text be amended in section 2, in item 2511-0100, by striking out the words "funds may be expended to enhance the buy local effort in western, central, northeastern" and inserting in place thereof the following words:- "not less than $200,000 shall be expended to establish a buy local effort in central Massachusetts and to enhance the buy local effort in western, northeastern".
The amendment was adopted.

Ms. Creem and Mr. Barrett moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting after the words "Pilayella algae" the following words:- ″; provided further, that not less than $150,000 shall be expended for the purposes of aquatic invasive species control"; and by striking out the figures "$41,625,332" and inserting in place thereof the figures ″$41,775,332″.
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 2800-0700, by adding the following words:- "; provided further, that not less than $100,000 shall be expended for the repair and maintenance of the dam at the Ralph C. Mahar Regional School, known as the Mahar Dam, in the town of Orange; provided further, that not less than $302,000 shall be expended for construction, engineering, oversight and tipping fees for the Plymco Dam removal project in the town of Plymouth, which shall be used as matching funds for federal grants; and provided further, that not less than $125,000 shall be expended for the preservation of a historic property in the town of Hadley;"; and by striking out the figure "372,865" and inserting in place thereof the following figure:- "899,865".
The amendment was adopted.

Messrs. Tarr, Hedlund and Rodrigues moved that the proposed new text be amended in section 2, by inserting after item 2330-0150, the following item:
"2330-xxxx For conducting surveys to monitor and forecast an abundance of commercially-important invertebrate species in commonwealth waters, including a ventless lobster trap employing the services of contracted commercial lobster fishing vessels in the commonwealth; provided, that the division of marine fisheries may expend not more than $250,000 from revenue collected from fees generated by the sale of lobster permits; provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the division 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 as reported in the state accounting system …….. $250,000"; and
By inserting after section 122, the following section:-
"SECTION 122A. The division of marine fisheries shall implement a new fee schedule in fiscal year 2015 for invertebrate species to fund the ventless lobster trap survey program."
The amendment was adopted.

Mr. McGee, Ms. Forry and Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 2800-0501, in line 6, by inserting after the word "maintained", the following:- "provided further that the Metropolitan Beaches shall be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with DCR"; and by striking out the figure "$14,080,812" and inserting in place thereof the figure:- "$14,680,812".
The amendment was adopted.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- "; provided further, that not less than $150,000 shall be expended to Plymouth county for the management and cleanup of

pond algae and invasive vegetation; provided further, that not less than $50,000 shall be expended to the town of Pembroke for the management and cleanup of invasive pond vegetation; and provided further, that not less than $250,000 shall be expended to finalize the designs and obtain the permits necessary for implementation of the Mystic River Master plan, including aquatic invasive species control on the Mystic River"; and by striking out the figure "41,625,332" and inserting in the place thereof the following figure:- "42,075,332".
The amendment was adopted.

Messrs. Eldridge, Joyce and Pacheco moved that the proposed new text be amended in section 2, in item 2800-0401 by striking out the figures "$409,385" and inserting in place thereof the figures "$509,385".
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 2200-0100, by adding at the end thereof the following:- "; provided further, that not less than $40,000 shall be expended for a matching grant for sediment control and other enhancements to Lake Chargog-gagoggmanchauggagoggchaubunagungamaugg in the town of Webster; provided further, that said matching grant may be provided through the municipality by local appropriation or through donations from nonprofit organizations or individual, corporate or foundation gifts;"; and by striking the figures "$28,498,667" and inserting in place thereof the figures "$28,538,667".
The amendment was adopted.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7061-9611, by adding the following words:- "; and provided further, that not less than $5,000 shall be expended for summer programming through Auburn Youth and Family Services, Inc."; and by striking out the figure "1,410,000" and inserting in place thereof the following figure:- "1,415,000".
The amendment was adopted.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7004-0099 by inserting after the words "monthly basis" the following: "provided further, that not less than the amount appropriated in line item 7004-0099 of section 2 of chapter 38 of the acts of 2013 shall be expended for the South Worcester Neighborhood Improvement Corporation in fiscal year 2015"; and by striking out the figures "$6,460,145" and inserting in place thereof the figures "$6,510,145".
The amendment was adopted.

Ms. Flanagan moves that the proposed new text be amended in section 2, in item 7002-0021, by adding the following words:- "provided further, that no less than $50,000 be provided for the renovation of the electrical system of the Old Church in the town of Berlin; provided further, that no less than $3,000,000 be expended for the construction of a public safety building in the town of Barre"; and by striking out the figure "$5,000,000" and inserting in place thereof the following figure:- "$5,050,000".
The amendment was adopted.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting at the end thereof the following:- "provided further, that $100,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston"; and by striking out the figures "$750,000" and inserting in place thereof the figures "$850,000" .
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 7004-0102, by adding the following words:- "; and provided further, that not less than $200,000 shall be expended for Craig's Doors – A Home Association, Inc. in the town of Amherst"; and by striking out the figure "$40,551,657" and inserting in place thereof the following figure:- "$40,751,657".
The amendment was adopted.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7004-3036, by inserting the following words:- "; provided further, that not less than $250,000 shall be expended for the operation of the Springfield Housing Authority Talk Read Succeed Program"; and, by striking out the figures "$2,391,992" and inserting in place thereof the following figures:- "$2,541,992".
The amendment was adopted.

Messrs. Welch and Rosenberg and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7002-0021, by inserting the following the words:- "; provided further, that not less than $150,000 shall be expend for the launch and operation of the New England Public Radio located in the city of Springfield"; and by striking out the figures "5,000,000" and inserting in place thereof the following figures:- "5,150,000".
The amendment was adopted.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7004-3036, by inserting after the word "authorities" the following words:- "; provided further, that not less than $150,000 shall be expended to Springfield Neighborhood Housing Services, Inc., so-called in Springfield"; and by striking out the figures "$2,391,992" and inserting in place thereof the following figures:- "$2,541,992".
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided further, that not less than $50,000 shall be expended for the North Quabbin Chamber of Commerce and the Franklin County Chamber of Commerce to establish a regional tourism council for the North Quabbin area;".
The amendment was adopted.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "provided further, that $300,000 shall be provided for a public safety grant in the city known as the town of Methuen"; provided further, that not less than $25,000 shall be provided to the North of Boston Convention and Visitors Bureau to expand recreational opportunities and promoting tourism on the Merrimack River through the River Cities Initiative"; and provided further, that $175,000 shall be provided to Northern Essex Community College to restore the Early College Program in the city known as the town of Amesbury and expand the program to other communities served by the college"; and by striking out the figure "$10,933,979" and inserting in place thereof the following figure:- "$11,433,979".
The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 7008-0900, "provided further, that not less than $100,000 shall be expended for the operations of Zeiterion Theatre, Inc. in the city of New Bedford".
The amendment was adopted.

Ms. Chandler, Messrs. Michael O. Moore, Richard T. Moore, Hedlund, Rodrigues and Eldridge, Ms. Candaras, Mr. Donnelly, Ms. Forry, Messrs. Wolf, Downing and Welch, Ms. Lovely, Ms. Spilka, Ms. O'Connor Ives, Messrs. Pacheco, DiDomenico, Brownsberger, Petruccelli and Lewis, Ms. Creem, Messrs. Finegold and Tarr, Ms. Donoghue, Messrs. Kennedy, Keenan, Joyce and Barrett, Ms. Chang-Diaz and Messrs. Rush, Humason and Timilty moved that the proposed new text be amended in section 2, in item 4000-0600, by inserting after the words "providing kosher food;" the following words:- "provided further, that effective April 1, 2105, for the fiscal year ending June 30, 2015, the executive office of health and human services shall establish nursing facility Medicaid rates under section 13D of chapter 118E of the General Laws using calendar year 2007 as the base costs, which shall result in up to $15,825,661 in payments above the payments made to nursing facilities for fiscal year 2014; provided further that the $15,825,661 in payments shall be subject to the availability of federal financial participation; provided further that the executive office of health and human services shall notify the secretary of administration and finance and the chairs of the house and senate committees on ways and means, not later than March 2, 2015, on the ability to obtain federal financial participation; provided further, that if federal financial partcipation is not available for the payments, the executive office shall maintain the rates, which use 2005 base year costs, and shall make a 1 time supplemental payment for nursing facility Medicaid rates of not less than $7,921,830; provided further, that the executive office of health and human services shall report to the house ande senate committees on ways and means, not later than March 2, 2015 on: (1) the extent to which quality indicators and other measures are incorporated into the determination of payment rates and amounts dispersed to nursing facilities; and (2) a proposal to enhance the incorporation of quality indicators and other measures into nursing facility rates"; and by striking out section 98".
The amendment was adopted.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7004-9316, in line 8, by striking out the word "non-profit" and inserting in place thereof the following:- "homeBase agencies".
The amendment was adopted.

Mr. McGee and Ms. Creem moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof, the following words:- "provided further, that no less than $90,000 shall be expended for the Russian Community Association of Massachusetts (RCAM)".
The amendment was adopted.

Messrs. Eldridge and DiDomenico, Ms. Creem, Mr. Wolf, Ms. Forry, Messrs. Barrett, Welch and Keenan, Ms. Lovely, Messrs. Michael O. Moore and Joyce, Ms. Jehlen and Mr. Finegold moved that the proposed new text be amended in section 2, in item 7004-9030, by striking out the figure "$3,450,000" and inserting in place thereof the figure:- "$3,650,000".
The amendment was adopted.

Mr. Eldridge, Ms. Donoghue, Ms. Jehlen and Messrs. Barrett, DiDomenico, Joyce, Finegold and Brownsberger moved that the proposed new text be amended in section 2, in item 7004-9024, by striking out the words "families currently residing on existing or new statewide housing waitlists" and inserting in place thereof:- "households utilizing an online electronic application system and residing on a new online electronic statewide housing waitlist established for the implementation of this line item and administered by the department; provided further, the statewide waitlist shall be established not later than September 1, 2014; provided further, that the department shall make every effort so that new mobile vouchers distributed through the electronic statewide waitlist shall, to the extent feasible, be issued not later than October 1, 2014; provided further, that not more than $2,500,000 may be used for the creation and administration of the statewide application system and waitlist; provided further, that in creating said electronic statewide waitlist, the department shall also develop a system of voucher distribution which prioritizes criteria related to need, ability to benefit, and ability to maintain sustainable housing; provided further, that the department of housing and community development shall report, not later than September 1, 2014, to the house and senate on ways and means on the timeline for the creation and implementation of said statewide application system and waitlist;"; and following the words "provided further, that with the exception of vouchers previously committed to initiatives prior to July 1, 2014, the method used to distribute or redistribute vouchers under this item" inserting the following words:- ", as well as any prioritization system developed by the department,".
The amendment was adopted.

Ms. Forry and Mr. Lewis moved that the proposed new text be amended by inserting the following new section:-
"SECTION XXX Section 12 of Chapter 138 of the General Laws, is hereby amended by inserting after the words 'between the hours two and eight o'clock antemeridian' in the seventh paragraph, the following: ', except in a city or town that is serviced by the Massachusetts Bay Transportation Authority's Late-Night Service, as authorized by chapter 161A of the Massachusetts General Laws, and provided that the local governing body of such city or town accepts this provision,"; and
By inserting the following new section:-
"SECTION XXX Section 12 of Chapter 138 of the General Laws, is hereby amended by inserting after the words 'between the hours one o'clock and eight o'clock antemeridian' in the seventh paragraph, the following: ', except in a city or town that is serviced by the Massachusetts Bay Transportation Authority's Late-Night Service, as authorized by chapter 161A of the Massachusetts General Laws, and provided that the local governing body of such city or town accepts this provision'."
The amendment was adopted.

Mr. Eldridge, Ms. Flanagan and Mr. Joyce moved that the proposed new text be amended in section 2, by inserting after item 7007-0800, the following item:-
"7007-0801 For microlending grants of up to $100,000 to be issued to established Community Development Financial Institutions and Community Advantage Lenders making direct microenterprise and small business loans to borrowers on a regional basis, as well as providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds shall be used to support the eligible organization's lending and technical assistance activities and, provided further, that not less than $100,000 shall be granted to the North Central MA region for these purposes ……..$300,000".
The amendment was adopted.

Ms. O'Connor Ives, Messrs. Michael O. Moore and Montigny, Ms. Candaras, Ms. Chang-Diaz, Ms. Creem, Mr. DiDomenico, Ms. Donoghue, Messrs. Downing, Eldridge and Finegold, Ms. Forry, Mr. Humason, Ms. Jehlen, Mr. Lewis, Ms. Lovely, Messrs. Rodrigues, Rush, Wolf, Brownsberger and Barrett, Ms. Spilka and Messrs. Joyce, Kennedy, Tarr, McGee and Petruccelli moved that the proposed new text be amended in section 2, in item 0640-0300, by striking out the figure "$9,591,595" and inserting in place thereof the figure:- "$12,000,000".
The amendment was adopted.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Section 9 of Chapter 15A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'tuition;' in line 128, the following words:- 'provided, however, that any veteran of the United States armed services shall be considered Massachusetts residents for the purpose of admission and tuition expenses for any Massachusetts state college, community college, or state university under the following conditions: the veteran was honorably discharged from the U.S. armed services after at least one year of active service, excluding time spent at a military service academy; the veteran designates Massachusetts as his/her intended domicile, moves to Massachusetts for the purpose of establishing residency, and successfully establishes residency in Massachusetts within one year of matriculation in a Massachusetts public institution of higher learning; failure to successfully meet any of the conditions will result in the Massachusetts state college, community college, or state university revoking discounted tuition rate and invoice the individual the full cost of tuition for any previous enrolled and/or future semesters'."
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 7061-9408, by adding the following words:- "; and provided further, that $250,000 shall be expended for the continuation of the parent engagement program under item 7061-9408 in section 2 of chapter 182 of the acts of 2008"; and by striking out the figure "$7,543,523" and inserting in place thereof the following figure:- "$7,793,523".
The amendment was adopted.

Mr. Downing moved that the proposed new text be amended in section 2, by inserting after item 7113-0100 the following item:-
"7113-0101 For Gallery 51 at the Berkshire Cultural Resource Center in the city of North Adams to be administered by the Massachusetts College of Liberal Arts…. $75,000".
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 7061-0029, by inserting the following:- "; provided further that the district of Randolph shall join the ten districts of Boston, Brockton, Fall River, Holyoke, Lawrence, Lowell, Lynn, New Bedford, Springfield, and Worcester, in the cohort known as the Commissioner's Districts".
The amendment was adopted.

Mr. Michael O. Moore and Ms. Donoghue moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION _____. Section 30 of chapter 69 of the General Laws is hereby amended by striking out the fifth sentence and inserting in place thereof the following sentence: 'Said council shall establish a policy providing for public notice and the opportunity for public comment on such certificates or articles referred to it hereunder, where appropriate.'."
The amendment was adopted.

Messrs. Michael O. Moore and DiDomenico, Ms. Forry, Ms. Chang-Diaz, Mr. Welch, Ms. Creem, Ms. O'Connor Ives, Messrs. Lewis and Hedlund, Ms. Spilka, Ms. Chandler, Messrs. Donnelly, Eldridge and Rodrigues, Ms. Donoghue, Messrs. Brownsberger, Barrett, Wolf, Finegold, Joyce and Keenan, Ms. Candaras, Messrs. Downing and Montigny, Ms. Lovely and Messrs. Humason and Tarr moved that the proposed new text be amended in section 2, by inserting after item 1599-0026, the following item:-
"1599-0042 For a reserve to the department of early education and care to be distributed to increase reimbursement rates for center-based subsidized early education and care and for salaries, benefits and stipends for professional development of early educators or programmatic quality improvements; provided, that funds appropriated in this item shall be used to increase such reimbursement rate by an equal percentage for all such providers
…….. $9,710,356".
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 7061-9811, by striking out "$125,000" and inserting in place thereof the following figure:- "$200,000".
The amendment was adopted.

Ms. Donoghue, Messrs. Michael O. Moore, Ross and Eldridge moved that the proposed new text be amended by inserting after section XX, the following new section:-
"SECTION XXX. The Board of Higher Education shall conduct a study on the feasibility of amending the guidelines of John and Abigail Adams Scholarship. The study shall include, but not be limited to, amending the definition of 'Award Value' to include mandatory fees in addition to tuition, and amending the definition of 'Eligible Student' to include heightened academic requirements. As a part of the study, the Board of Higher Education shall prepare estimates of the costs to the Commonwealth of including mandatory fees in the 'Award Value' with such estimates being based on a various definitions of 'Eligible Student.' The Board of Higher Education shall report its findings and recommendations to the joint committee on higher education and joint committee on ways and means not later than December 15, 2014."
The amendment was adopted.

Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 7061-0011, by striking out the words "and (ii)" and inserting in place thereof the following word:- "(ii)"; by inserting after the words "regional school district" the following words:- "; (iii) provide extraordinary relief to school districts whose special education costs exceed 30 per cent of total district costs and whose tuition and other circuit-breaker eligible costs for placements at an approved private school located within the district exceed both $1,000,000 and 25 per cent of all tuition and other circuit-breaker eligible costs for placements at approved private schools; and (iv) mitigate costs for districts that: (1) experience foundation enrollment growth of greater than 200 pupils from fiscal year 2014 to fiscal year 2015; and (2) whose chapter 70 as a percentage of total foundation budget is less than the district's target aid percentage; provided further, that not less than $350,000 shall be expended for the purposes of clause (iii); provided further, that not less than $1,000,000 shall be expended for the purposes of clause (iv)"; and by striking out the words "under clause (ii)" and inserting in place

thereof the following words:- “under clauses (ii), (iii) and (iv)”.
The amendment was adopted.

Messrs. Rodrigues and Michael O. Moore and Ms. O'Connor Ives moved that the proposed new text be amended by inserting after section__, the following new section:-
“SECTION ___ Chapter 176 of the Acts of 2011 is hereby amended by striking out section 60 in its entirety and inserting in place thereof the following new section:-
SECTION 60 (1) Notwithstanding any general or special law to the contrary, any active member of the optional retirement system established under subsection (3) of section 40 of chapter 15A of the General Laws, or inactive member of the optional retirement system who is currently an active member of the state retirement system, or optional retirement plan enrollee on an approved leave of absence of 2 years or less shall have 1 opportunity to transfer to the state employees' retirement system, governed by chapter 32 of the General Laws, with creditable service allowed for any such time they were active participants of the optional retirement program. Any such employee choosing to transfer shall also be allowed creditable service for any years of participation, or portions thereof, in the state employee retirement system immediately prior to their enrollment in the optional retirement program.
(2) Eligibility for creditable service for time spent in the optional retirement program and service relinquished in the state employees' retirement system by enrollment in the optional retirement program shall be conditioned upon the payment, in 1 lump sum or in installments upon such terms as the state retirement board may provide, the larger of (a) an amount equal to the contributions such employee would have otherwise paid into the state employees retirement system had they been a member, plus actuarial-assumed interest for the years spent as an actively contributing member in the optional retirement plan or (b) an amount equal to all such assets, under the Massachusetts optional retirement program to the state employees' retirement system, providing that such assets shall be credited toward the purchase of creditable service, minus employer-funded assets; and providing further that the accrual of interest for creditable service prior to January 1, 2014 established under this Act shall be calculated through December 31, 2013. Optional retirement program participants electing to transfer to the state retirement system shall, upon the transfer, forfeit all benefits, rights and privileges attributable to employer-funded assets in the optional retirement program. The optional retirement program administrator will take immediate steps to ensure that such employer-funded assets are transmitted to the Pension Reserve Fund as assets of the state employees’ retirement system as a trustee-to-to trustee transfer the provisions of this subsection notwithstanding, the accrual of actuarial-assumed interest shall not be applicable to any group of participants identified by the department of higher education where the provisions of this section are intended to reflect the requirements of the Internal Revenue Service’s Employee Plans Compliance Resolution System.
(3) Within 180 days of the effective date of this section the state retirement board and the department of higher education shall request of the Internal Revenue Service the necessary letters of determination or ruling on whether this section may be implemented without impairing the compliance of either or both the optional retirement plan and the state employees' retirement system with the Internal Revenue Code of 1986 including, but not limited to, subsection 414(h). The state employees' retirement system shall also request a determination or ruling from the Internal Revenue Service on whether this section may be implemented, without impairing the above mentioned compliance, provided that it only applies to any employee who elected, prior to May 16, 2004, to participate in the optional retirement program because the option of marriage did not become available to that employee under the laws of the commonwealth prior to May 16, 2004. Subsections (1), (2) and (4) to (7), inclusive, of this section shall not take effect unless and until the Internal Revenue Service issues a favorable ruling or determination, as the case may be, which determines that the transfers described in this section will not result in non-compliance of either or both the optional retirement program and the state employees' retirement system with the Internal Revenue Code including, but not limited to, subsection 414(h).
(4) Upon a favorable ruling or determination from the Internal Revenue Service, the department of higher education shall notify active members of the optional retirement program, inactive members of the optional retirement system who are currently active members of the state retirement system and those members on an excused leave of absence of 2 years or less, of their eligibility for this 1-time transfer opportunity to the state employee retirement system. Eligible employees who choose to transfer to the state employees’ retirement system apply for such transfer to the state retirement board within 180 days of notification by the department of higher education of their eligibility for this transfer. Any elections under this section shall apply to current active members of the optional retirement plan, inactive members of the optional retirement system who are currently active members of the state retirement system and those on an approved leave of absence of 2 years or less on the effective date of this section, and shall be for one time. No further changes in participation, either into the state retirement plan or out of the optional retirement program, shall be permitted.
(5) Within 180 days of application for transfer to the state retirement system, such employees, subject to the rules and regulations of the state board of retirement, shall be notified by the state retirement board of their eligibility for transfer and the cost of such transfer. If eligible, such members shall have 180 days from notification to make the transfers to the state employees' retirement system, as set forth in subsection (2). Any money remaining in an optional retirement program account following the transfer of an employee to the state employees' retirement system and the complete payment for such transfer, as set forth above, shall continue to be held on behalf of the member under the optional retirement program and shall continue to be subject to the terms of the optional retirement program.
(6) If an employee has a residual account remaining in the optional retirement program under subsection (5), the employee shall continue to be a member of the optional retirement program as long as such employee has an account

under such program but shall not be permitted to make further contributions and shall not be eligible for any employer contributions thereunder. The department of higher education and the state board of retirement shall take such actions that are required or appropriate to ensure that the optional retirement program and the state employees' retirement system, as hereby amended, continue to be tax-qualified plans in accordance with the Internal Revenue Code of 1986, as amended.
(7) The application of chapter 32 of the General Laws to a member of the optional retirement program who elects to transfer to the state employees/ retirement system pursuant to this act and who retains membership in the state employees' retirement system thereafter shall be those provisions that were in effect on the date such employee was or would have been eligible to become a member of the state employees' retirement system as determined by the state retirement board.
Upon the effective date of this section the public employee retirement administration commission shall perform an actuarial study relative to the potential cost to the commonwealth of implementation of this section and shall submit a report to the joint committee on public service."
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 7100-0200, by adding at the end thereof the following:- "provided further, that not less than $100,000 shall be expended for the University of Massachusetts at Amherst to conduct a study for the revitalization of former mill buildings and rural village centers in the North Quabbin region;".
The amendment was adopted.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7002-0020, by adding at the end thereof the following:- "provided that not less than $90,000 shall be expended for a related pilot program in Lynn"; and by striking out the figure "$1,500,000" and inserting in place thereof the following figure:- "$1,590,000".
The amendment was adopted.

Ms. Creem, Messrs. Barrett, Brownsberger, DiDomenico, Michael O. Moore, Rush and Wolf, Ms. Spilka, Messrs. Welch and Joyce, Ms. Forry and Messrs. Eldridge, McGee and Kennedy moved that the proposed new text be amended in section 2, in item 7009-9600, by striking out the figure "700,000" and inserting in place thereof the following figure:- "1,000,000".
The amendment was adopted.

Ms. Donoghue, Ms. Chandler, Ms. Creem, Ms. Chang-Diaz, Messrs. DiDomenico and Donnelly, Ms. Forry, Mr. Michael O. Moore, Ms. O'Connor Ives and Messrs. Rodrigues, Brownsberger, Finegold, Montigny, Joyce, Welch, McGee, Timilty and Kennedy moved that the proposed new text be amended in section 2, in item 8100-0111, by striking out the figure "6,500,000" and inserting in place thereof the figure "9,000,000".
The amendment was adopted.

Messrs. Barrett, Eldridge, Pacheco and Ross moved that the proposed new text be amended in section 2, in item 8900-0001, by adding the following words:- "; provided further, that the department shall expend not less than $2,200,000 for cities and towns hosting department of correction facilities; provided further, that of the $2,200,000, no city or town hosting a department of correction facility shall receive more than $800,000; and provided further, that of the $2,200,000, no city or town hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011"; and by striking out the figure "$560,181,787" and inserting in place thereof the following figure:- "$562,381,787".
The amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in section 2, in item 8324-0000, by adding at the end thereof the following: "provided further, that $50,000 shall be provided for the Quincy fire department hazardous material response team"; and by striking out the figures "19,236,873" and inserting in place thereof the figures "19,286,873".
The amendment was adopted.

Messrs. Keenan and Joyce moved that the proposed new text be amended in section 2, in item 8000-0600, by adding at the end thereof the following:- "provided further that not less than $150,000 shall be expended to the town of Braintree for public safety improvements"; and by striking out the figure "$2,150,750" and inserting in place thereof the figure "$2,300,750".
The amendment was adopted.

Messrs. Finegold, Rodrigues, DiDomenico and Michael O. Moore moved that the proposed new text be amended in section 2, in item 1599-0026, by striking out the words "provided further, that $3,000,000 shall be transferred to the executive office of public safety and security for a competitive grant program to be administered by that executive office; provided further, that the grants shall be awarded to communities that: (a) have populations of at least 65,000; and (b) demonstrate that their police departments had an operating budget per capita of less than $200 in 2010" and inserting in

place thereof the following words:- "provided further, that $4,250,000 shall be transferred to the executive office of public safety and security for a competitive grant program for public safety and emergency staffing to be administered by that executive office; provided further, that the grants shall be awarded to communities that: (A) have populations of at least 65,000; and (B) demonstrate that their police departments had an operating budget per capita of less than $200 in 2010";
In said section 2, in said item 1599-0026, by adding the following words:- "; provided further, that $100,000 shall be expended to the police department of the town of Plymouth for the creation of a street crime unit with the mission of disrupting and dismantling street level drug trade, open air drug dealing and distribution and crimes related to the use or trade of illegal drugs in the town of Plymouth and surrounding communities; provided further, that $40,000 shall be expended for the police department of the town of Barnstable to continue a street crime unit with the mission of disrupting and dismantling street level drug trade, open air drug dealing and distribution and crimes related to the use or trade of illegal drugs in the town of Barnstable and surrounding communities"; and
In said section 2, in said item 1599-0026, by striking out the figure "$6,400,000" and inserting in place thereof the following figure:- "$7,790,000".
The amendment was adopted.

Ms. Spilka and Ms. Jehlen moved that the proposed new text be amended by inserting after section 19, the following section:-
"SECTION 19A. Chapter 19 of the General Laws is hereby amended by adding the following section:-
Section 25. The commissioner of mental health shall collaborate with local law enforcement officials, mental health professionals and social workers, to support programs that provide opportunities to prevent arrest and divert individuals with mental illness or substance use disorders out of the criminal justice system and into community based mental health and substance use disorder treatment services where such diversion is clinically appropriate and consistent with public safety. The commissioner shall monitor, evaluate and complete annual reports on the participation of the department of mental health in jail diversion programs, including pre-arrest jail diversions programs, in cities, towns, or regions of the commonwealth which shall be filed with the clerks of the senate and house of representatives, and the chairs of the joint committee on mental health and substance abuse not later than December 31 of each year."
The amendment was adopted.

Ms. Spilka moved that the proposed new text be amended in section 60, by adding the following by sentence:- "No person shall be committed to the Massachusetts correctional institution at Bridgewater or to the Massachusetts correctional institution at Framingham for rehabilitative purposes, under this section, unless at least 1 of the following conditions are present: (i) the person has a history, within the last 12 months, of violence towards patients or treatment staff; (ii) the person has a history, within the last 12 months, of elopement from a treatment facility; or (iii) the person exhibits an imminent risk of severe, life threatening withdrawal symptoms or a co-occurring medical or mental health condition that preclude safe detoxification in a less intensive setting."; and by striking out section 65 and inserting in place thereof the following section:-
"SECTION 65. The fourth paragraph of said section 35 of said chapter 123, as so appearing, is hereby amended by striking out the fourth, fifth and sixth sentences and inserting in place thereof the following 2 sentences:- The person may be committed to the Massachusetts correctional institution at Bridgewater, if a male, or at Framingham, if a female, if 1 of the following conditions are present: (i) the person has a history, within the last 12 months, of violence towards patients or treatment staff; (ii) the person has a history, within the last 12 months, of elopement from a treatment facility; or (iii) the person exhibits an imminent risk of severe, life threatening withdrawal symptoms or a co-occurring medical or mental health condition that preclude safe detoxification in a less intensive setting. The person so committed shall be housed and treated separately from convicted criminals. Such person shall, upon release, be encouraged to consent to further treatment and shall be allowed voluntarily to remain in the facility for such purpose."
The amendment was adopted.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8900-0001, by inserting after the word "Worcester" the following words:- "; provided further not less than $68,000 shall be expended for Dispute Resolution Services, Inc. of Springfield to provide community mediation services to ex-offenders as an outlet for conflict resolution once they return to the community, provide general community mediation services to the residents of Hampden County to prevent everyday conflict escalation that would require police, court and potentially corrections interventions and involvement, additional service would include training for correctional officers and other staff members as requested in mediation and conflict resolution techniques to effectively address daily conflicts"; and by striking out the figure "$560,181,787 and inserting in place thereof the following figure:- "$560,249,787".
The amendment was adopted.

Messrs. DiDomenico, Keenan and McGee, Ms. Spilka, Messrs. Michael O. Moore, Hedlund and Brownsberger, Ms. Candaras and Messrs. Tarr and Pacheco moved that the proposed new text be amended by inserting after section 81, the following section:-
"SECTION 81A. Section 13D of chapter 265 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following paragraph:-
An officer authorized to make arrests may arrest any person upon probable cause, and without a warrant, if the person

has committed an offense under this section upon a public employee when the public employee was operating a public transit vehicle and the officer may keep the person in custody during which period the officer shall seek the issuance of a complaint and request a bail determination with all reasonable promptness."
The amendment was adopted.

Mr. Donnelly moved that the proposed new text be amended in section 2, in item 8324-0000, by striking out the figures "$19,236,873" and inserting in place thereof the figures:- "$20,986,873".
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 8000-0106, by adding at the end thereof the following:- "provided further, that the department of state police shall maintain a state police crime laboratory in either Hampshire or Hampden County".
The amendment was adopted.

Ms. Flanagan and Mr. Donnelly moved that the proposed new text be amended in section 2, in item 8324-0000, by inserting after the words "split days option;" the following: "provided further, that $300,000 shall be allocated to On-Site Academy, to provide training and treatment programs for emergency personnel for critical incident stress management or substance abuse;"; by striking out the following words "provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office, critical incident stress programs, the Massachusetts and fire department training academies, the regional dispatch center, radio and dispatch center improvements and the associated fringe benefits costs of personnel paid from this item for these purposes shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; " and inserting in place thereof the following words:- "provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office, critical incident stress programs, the Massachusetts and fire department training academies, On-Site Academy, the regional dispatch center, radio and dispatch center improvements and the associated fringe benefits costs of personnel paid from this item for these purposes shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance;"; and by striking out the figure "$19,236,873" and inserting in place thereof the figure "$19,536,873".
The amendment was adopted.

Mr. Rodrigues, Ms. Candaras, Messrs. Rush, Joyce and Tarr, Ms. Donoghue, Ms. O'Connor Ives and Mr. Ross moved that the proposed new text be amended by inserting after section__, the following new section:
"SECTION__. Chapter 239 of the Acts of 2012, as most recently amended by section 22 of Chapter 3 of the Acts of 2013, is hereby amended by striking out section 52 and inserting in place thereof the following section:-
Section 52. The bureau of pipefitters, refrigeration technicians and sprinkler fitters shall adopt regulations and issue procedures related to the process piping pipefitter license under section 82 of chapter 146 of the General Laws not later than July 1, 2014. A person who was not required to be licensed under section 84 of said chapter 146 who submits satisfactory proof to the bureau of pipefitters, refrigeration technicians and sprinkler fitters that the person has been actively engaged in any area of process piping as defined by Section 81 of chapter 146 of the General Laws for a period of 4 years prior to the effective date of this act, and who has applied for a license within 180 days after the effective date of the regulations adopted under this section shall, upon payment of the applicable fee, be issued a process piping pipefitter license. A person with less than 4 years of documented relevant work experience shall demonstrate sufficient knowledge of the regulations in order to be issued a process piping pipefitter license. Any proof required to be submitted under this section shall be accompanied by a statement under the penalties of perjury."
The amendment was adopted.

Messrs. Rosenberg and Tarr moved that the proposed new text be amended by inserting the following new section :-
"SECTION ___. There shall be an elevator study commission to examine elevator safety, maintenance, and inspections including current regulations and practices industry wide and it shall make recommendations for reforms which are fair and reasonable to the consumer but which increase efficiency of use of public resources, while maintaining a high level of public safety. The commission shall examine, but not be limited to, practices in other states and jurisdictions, frequency of inspections, method of inspection, licensing processes, cost and fees to maintain elevator safety, cost and fees to certify elevator safety, department fines, use of information technology, elevator inspectors licensing, and elevator operator and elevator mechanic industry practices and fees.
The task force shall consist of the secretary of public safety, or her designee, the commissioner of the department of public safety or his designee, who shall serve as chair, the chair of the elevator division, a representative of labor, and 3 persons to be appointed by the Governor one of whom shall have expertise as an elevator mechanic, one of whom shall be a licensed elevator inspector, and one of whom shall have expertise in the construction industry.
The commission shall issue a report of its study, recommendations, and any draft legislation which shall be filed with the chairs of the joint committee on public safety and homeland security, the chairs of the committees on ways and means,

and the clerks of the house and senate not later than January 1, 2015."
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 8910-0105, by adding at the end thereof the following:- "and provided further, that not less than $497,000 shall be expended to establish a day reporting center located in southern Worcester county"; and by striking out the figures "$44,060,699" and inserting in place thereof the figures "$44,557,699".
The amendment was adopted.

Ms. Jehlen moved that the proposed new text be amended in section 104, by striking out subsection iv and replacing with the following:- "analyze the feasibility of developing a compassionate release program for aging inmates, infirm inmates, and inmates with a condition, disease, or syndrome that is terminal, debilitiating, or incapacitating, including, but not limited to, inmates diagnosed with Alzheimer's disease, dementia or other degenerative diseases and".
The amendment was adopted.

Messrs. Rush and Ross moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority shall ensure the operation of weekend service on the Needham Line on Saturdays. The service shall be maintained to and from Needham and South Station."
The amendment was adopted.

Messrs. Tarr, Ross, Humason and McGee and Ms. Lovely moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION XXX. There is hereby established a special task force to analyze the feasibility of a vehicle registration plate system that utilizes non-alphanumeric symbols as part of the registration identification for plates issued by the registrar of motor vehicles. The task force shall consist of the registrar of motor vehicles, who shall serve as the chair; the colonel of the state police or a designee; a representative of the Massachusetts Chiefs of Police Association; a designee from the Molly Bish Center for Missing and Exploited Children; the secretary of administration and finance or a designee; the secretary of transportation or a designee; the secretary of the executive office of public safety and security or a designee; a representative of the State Police Association of Massachusetts; a member of a labor organization representing police officers designated by the governor; and as ex officio members a representative from the United States Department of Transportation, a representative from the United States Department of Justice, a representative from United States Immigration and Customs Enforcement, and a representative from the United States Department of Homeland Security. The study shall be directed to the feasibility of such a system, its cost, time frame for implementation, impact on federal, state and local law enforcement and between states and the tools and equipment necessary to produce enhanced recognition and identification registration plates. The study shall assess: human factors involved in the mental recognition of vehicle license plates, including human reaction to numbers, letters, characters and symbols and the ability to cognitively process them; provided, however, that the task force shall rely upon scientific studies that analyze and assess such human reaction and such ability as applied to not fewer than 15 non-alpha-numeric symbols as appearing on license plates traveling on public and non-public ways; provided further, that such scientific studies have been peer reviewed; and provided further, that the task force shall consult with relevant research or clinical scientists and medical professionals in the field of cognitive psychology and perception to verify the accuracy of the information it reviews; (ii) transportation-based factors including, but not limited to, the impact on toll revenues; (iii) interfaces with motor vehicle databases in other states including, without limitation, any licensing and registration system used by the registry of motor vehicles; and (iv) criminal information system accessibility.
The task force may conduct 1 or more public hearings to inform the public of its activities. The report of the task force shall be filed with the clerks of the senate and the house of representatives not later than December 31, 2014."
The amendment was adopted.

Messrs. Brownsberger and Tarr moved that the proposed new text be amended by inserting after section 81 the following section:-
"SECTION 81A. Chapter 161A of the General Laws is hereby amended by adding the following section:-
Section 50. The Massachusetts Bay Transportation Authority, or its successor, shall make available retirement information for all current, former and future Massachusetts Bay Transportation Authority employees and retirees which includes total annual and monthly pension benefit contributions, in an electronically searchable and aggregate format in accordance with the provisions of chapter 66 and section 14C of chapter 7. Said information shall include name, position, annual salary, monthly and annual pension payment, age and number of years in service for each employee or retiree at retirement."; and by inserting after section 85 the following section:-
"SECTION 85A. Section 4 of chapter 38 of the acts of 2013 is hereby repealed."
The amendment was adopted.

Mr. Downing moved that the proposed new text be amended in section 2E, in item 1595-6368, by inserting at the end thereof the following words:- "provided further, that not less than $460,000 shall be provided to Berkshire Rides to maintain transportation services" and by striking out the figure "$389,801,636" and inserting in place thereof the following figure:- "390,261,636".
The amendment was adopted.

Messrs. Montigny and Michael O. Moore moved that the proposed new text be amended by inserting after section___ the following new section:-
"SECTION____. (a) Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority shall, not later than September 1, 2014, issue a request for proposals for a minimum of 120 days and annually March 1 each year thereafter to sell, license or rent naming or sponsorship rights for all subway, bus or commuter rail stations or other assets operated and owned by the authority. Nothing in this section shall prevent the Massachusetts Bay Transportation Authority from soliciting or receiving requests for information on said property.
(b) The secretary of transportation shall direct all revenues generated by the Massachusetts Bay Transportation Authority under this section to be used on mass transit capital expansion projects."
The amendment was adopted.

Messrs. Keenan and Downing moved that the proposed new text be amended in section 2, in item 4510-0710, by adding the following words:- "; provided further, that not less than $3,747,500 shall be expended for the advancement of the Massachusetts prescription drug monitoring program and the development of prescription drug monitoring information exchange architecture to support interstate prescription drug monitoring data sharing; and provided further, that funds shall be expended for the full implementation of practitioner, physician assistant, and registered nurses authorized by the board of registration in nursing to practice in advanced practice nursing roles onboarding pursuant to section 7A of chapter 94C of the General Laws"; and by striking out the figure "$7,803,178" and inserting in place thereof the following figure:- "$11,550,678".
The amendment was adopted.

Messrs. Tarr, Ross and Richard T. Moore moved that the proposed new text be amended by inserting after section ___, the following section:-
"SECTION ____. Notwithstanding the provisions of Section 245 of Chapter 224 of the Acts of 2012, the executive office of health and human services shall seek from the secretary of the United States Department of Health and Human Services a statewide waiver from the Medicare requirement set forth in 42 U.S.C. §1395x(i) that an admission to a skilled nursing facility be preceded by a 3-day inpatient hospital stay."
The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION____. Chapter 111 of the General laws, as appearing in the 2010 official edition is hereby amended by inserting after Section 51H the following sections:-
Section 51I. Designation of Comprehensive Stroke Centers, Primary Stroke Centers and Acute Stroke Capable Centers
The Department of Public health shall identify hospitals that meet the criteria set forth in this Act as Comprehensive Stroke Centers, Primary Stroke Center or Acute Stroke Capable Centers.
A hospital shall apply to the Department of Public Health for such designation and shall demonstrate to the satisfaction of the Department that the hospital meets the applicable criteria set forth in this Act.
The Department of Public Health shall recognize as many accredited acute care hospitals as Primary Stroke Centers as apply and are certified as a Primary Stroke Center by The Joint Commission (TJC) or another cabinet-approved nationally recognized organization that provides primary stroke center certification for stroke care, provided that each applicant continues to maintain its certification.
The Department of Public Health shall recognize as many accredited Comprehensive Stroke Centers as apply and are certified as a Comprehensive Stroke Center by The Joint Commission (TJC) or another cabinet-approved nationally recognized organization that provides comprehensive stroke center certification for stroke care, provided that each applicant continues to maintain its certification.
As nationally recognized Acute Stroke Capable Center accreditation programs, which use evidence-based guidelines, become available, the Department may adopt a process by which to recognize those facilities as State Acute Stroke Capable Centers
Comprehensive Stroke Centers and Primary Stroke Centers are encouraged to coordinate, through agreement, with Acute Stroke Capable Centers throughout the state to provide appropriate access to care for acute stroke patients. The coordinating stroke care agreements shall be in writing and include at a minimum:
Transfer agreements for the transport and acceptance of stroke patients seen by the Acute Stroke Capable Center for stroke treatment therapies which the remote treatment stroke center is not capable of providing; and
Communication criteria and protocols with the Acute Stroke Capable Centers.
The Department of Public Health may suspend or revoke a hospital's designation as a Comprehensive Stroke Center, Primary Stroke Center or Acute Stroke Capable Center, after notice and hearing, if the Department of Public Health determines that the hospital is not in compliance with the requirements of this Act.

Section 51J- Emergency Medical Services Providers; Assessment and Transportation of Stroke Patients to a Comprehensive Stroke Center, Primary Stroke Center or Acute Stroke Capable Center.

By June 1 of each year, the Department of Public Health shall send the list of Comprehensive Stroke Centers, Primary Stroke Centers and Acute Stroke Capable Centers to the medical director of each licensed emergency medical services provider in this state, shall maintain a copy of the list in the office designated with the department to oversee emergency medical services, and shall post a list of Stroke Centers to the Department of Public Health's website.

The Department of Public Health and Department of Emergency Medical Services shall adopt and distribute a nationally recognized standardized stroke triage assessment tool. The Department of Public Health and Department of Emergency Medical Services must post this stroke assessment tool on their respective websites and provide a copy of the assessment tool to each licensed emergency medical services provider no later than July 1, 2016. Each licensed emergency medical services provider must use a stroke-triage assessment tool that is substantially similar to the sample stroke-triage assessment tool provided by the Department of Public Health and Department of Emergency Medical Services.

The Department of Emergency Medical Services shall establish pre-hospital care protocols related to the assessment, treatment, and transport of stroke patients by licensed emergency medical services providers in this state. Such protocols shall include plans for the triage and transport of acute stroke patients to the closest Comprehensive Stoke Center, Primary Stroke Center or when appropriate to an Acute Stroke Capable Center, within a specified timeframe of onset of symptoms.

The Department of Emergency Medical Services shall establish, as part of current training requirements, protocols to assure that licensed Emergency Medical Services providers and 911 dispatch personnel receive regular training on the assessment and treatment of stroke patients.

Each emergency medical services provider must comply with all sections of this act by July 1, 2016.

Section 51K- Continuous Improvement of Quality of Care for Individuals with Stroke

The Department of Public Health shall establish and implement a plan for achieving continuous quality improvement in the quality of care provided under the statewide system for stroke response and treatment. In implementing this plan, the Department of Public Health shall:

1) Maintain a statewide stroke database that compiles information and statistics on stroke care that align with the stroke consensus metrics developed and approved by American Heart Association/American Stroke Association, Centers for Disease Control and Prevention and The Joint Commission. The Department of Health shall utilize Get with the Guidelines – Stroke or another nationally recognized data set platform with confidentiality standards no less secure, as the stroke registry data platform. To every extent possible, the Department of Health shall coordinate with national voluntary health organizations involved in stroke quality improvement to avoid duplication and redundancy.

2) Require Comprehensive Stroke Centers, Primary Stroke Center and Acute Stroke Capable hospitals and Emergency Medical Services agencies to report data consistent with nationally recognized guidelines on the treatment of individuals with confirmed stroke within the state.

3) Encourage sharing of information and data among health care providers on ways to improve the quality of care of stroke patients in this state.

4) Facilitate the communication and analysis of health information and data among the health care professionals providing care for individuals with stroke.

5) Require the application of evidenced-based treatment guidelines regarding the transitioning of patients to community-based follow-up care in hospital outpatient, physician office and ambulatory clinic settings for ongoing care after hospital discharge following acute treatment for stroke.

6) Establish a data oversight process and implement a plan for achieving continuous quality improvement in the quality of care provided under the statewide system for stroke response and treatment which shall do all of the following:

Analyze data generated by the registry on stroke response and treatment.

Identify potential interventions to improve stroke care in geographic areas or regions of the state.

Provide recommendations to the Department of Public Health, Department of Emergency Medical Services and the Legislature for the improvement of stroke care and delivery in the state.

b) All data reported under section above shall be made available to the Department of Public Health and to any and all other government agencies or contractors of government agencies that have responsibility for the management and administration of emergency medical services throughout the state.

c) On July 1 after passage of this Act and annually thereafter, the Department of Public Health shall provide a summary report of those data collected pursuant to section (a)1. All 51K data shall be reported in the aggregate form and shall be posted on the Department of Public Health's website and presented to the Governor, the President of the Senate and the Speaker of the House of Representatives to show statewide progress toward improving quality of care and patient outcomes.

d) In no way shall this act be construed to require disclosure of any confidential information or other data in violation of the federal Health Insurance Portability and Accountability Act of 1996, P.L. 104-191.

Section 51L- Coverage for Telemedicine Services

Each insurer, corporation or health maintenance organization providing a health care plan for health care services shall provide coverage for the cost of such health care services provided through telemedicine services, as provided in this section.

As used in this section, 'telemedicine services,' as it pertains to the delivery of health care services, means the use of

interactive audio, video and other electronic media used for the purpose of diagnosis, consultation, or treatment of acute stroke.
An insurer, corporation, or health maintenance organization shall reimburse the treating provider or the consulting provider for the diagnosis, consultation, or treatment of the insured delivered through telemedicine services on the same basis that the insurer, corporation, or health maintenance organization is responsible for coverage for the provision of the same service through face-to-face consultation or contact.
The requirements of this section shall apply to all insurance policies, contracts, and plans delivered, issued for delivery, reissued, or extended in the State on and after July 1, 2016, or at any time thereafter when any term of the policy, contract, or plan is changed or any premium adjustment is made.
Section 51M- Stroke System of Care Task Force
In order to ensure the implementation of a strong statewide stroke system of care, a stroke system of care task force may be created within the Department of Public Health to address matters of triage, treatment and transport of possible acute stroke patients. This task force shall be charged with implementing the regulations necessary to establish an effective stroke system of care in the State, particularly in rural areas. The regulations shall include protocols for the assessment, stabilization and appropriate routing of stroke patients by Emergency Medical Service providers, particularly in rural areas, coordination and communication between hospitals and Primary Stroke Centers and other support services necessary to assure that all residents have access to effective and efficient stroke care.
This task force shall include representation from the Department of Public Health, the Office of Emergency Medical Services, the American Heart/American Stroke Association, the Massachusetts Hospital Association, Acute Capable Stroke Centers, Primary Stroke Centers, Comprehensive Stroke Centers (if applicable), community hospitals, rural hospitals, physicians and emergency medical service providers.
The task force shall make recommendations to the Department of Public Health by July 1 after the passage of this act. Upon receiving such recommendations, the Commissioner of the Department of Public Health shall promulgate final rules implementing those recommendations by July 1, 2016.
This Act is not a medical practice guideline and shall not be used to restrict the authority of a hospital to provide services for which it has received a license under state law. The Legislature intends that all patients be treated individually based on each patient's needs and circumstances.
A person or entity may not advertise to the public, by way of any medium whatsoever, that a hospital is a primary stroke center unless the hospital has been designated as such by the Department as required by this Act.
The Department of Public Health shall have the authority to promulgate rules and regulations to carry out the purposes of this Act."
The amendment was adopted.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION XX. Chapter 18B of the General Laws, as appearing in the 2012 Official Edition is hereby amended by adding at the end thereof the following new section:-
SECTION 26. As part of the department's licensing and background record check process, the department shall conduct fingerprint-based checks of the state and national criminal history databases, as authorized by 42 U.S.C. Section 16962, for all applicants to be adoptive or foster parents and their household members age 15 or older. Authorized department staff may receive criminal offender record information and the results of state and national criminal history databases checks, pursuant to 42 U.S.C. Section 16962. The department shall handle the information obtained under this section pursuant to section s167 to 178, inclusive, of chapter 6.
As part of the department's approval process, the department, prior to issuing any approval, shall: (1) obtain from the sex offender registry board all available sex offender registry information associated with the address of the center, home or facility; and (2) conduct fingerprint-based checks of the state and national criminal history databases, pursuant to Public Law 92-544, that are required under this subsection. The fingerprint-based checks of the state and national criminal history databases shall be conducted, pursuant to Public Law 92-544, to determine the suitability of all applicants for employment, interns and volunteers who have the potential for unsupervised contact with children in any department-approved program. The fingerprint-based checks shall also be required to determine the suitability of any individual who provides transportation services on behalf of any department-approved program. Authorized department staff may receive all criminal offender record information and the results of checks of state and national criminal history information databases pursuant to Public Law 92-544. When the department obtains the results of checks of state and national criminal information databases, it shall treat the information according to sections 167 to 178, inclusive, of chapter 6 and the regulations thereunder regarding criminal offender record information."
The amendment was adopted.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION ___: Notwithstanding any general or special law to the contrary, the department of children and families shall conduct CORI checks on all household members of a foster home over the age of 14."
The amendment was adopted.

Mr. Finegold moved that the proposed new text be amended by inserting after section 71, the following new sections:-
"SECTION XX. Section 1 of chapter 111D of the General Laws, as so appearing, is hereby amended by striking out clause (3) and inserting in place thereof the following clause:-
(3) 'Company', a corporation, partnership, limited liability company, limited liability partnership, an association, a trust or an organized group of persons, whether or not incorporated.
SECTION XX. Said section 1 of said chapter 111D, as so appearing, is hereby further amended by striking out clause (7) and inserting in place thereof the following 2 clauses:-
(6A) 'Ownership interest', interests including, but not limited to, any membership, proprietary interest, shares of stock in a corporation, units or other interest in a partnership, bonds, debentures, notes or other equity interest or debt instrument or co-ownership in any form.
(7) 'Person', corporations, societies, associations, partnerships, limited liability companies, limited liability partnerships, trusts, organized group of persons, whether incorporated or not, an individual or his estate upon his death, any other entity including, but not limited to, medical practice, medical office, clinic, counseling center, substance abuse treatment program or sober house or a political subdivision of the commonwealth.
SECTION XX. Section 8 of said chapter 111D, as so appearing, is hereby amended by adding the following clause:-
(17) knowingly solicit, accept or test any specimen derived from the human body that is received from, ordered, requested or referred by: (a) any person or company in which the clinical laboratory, or its directors, owners, partners, employees or family members thereof, have any direct or indirect ownership interest; or (b) any person or company, or its directors, owners, partners, employees or family members thereof, having any direct or indirect ownership interest in the clinical laboratory; provided, however, that this clause shall not apply to: (i) a clinical laboratory owned by a licensed physician, or group of licensed physicians, used exclusively in connection with the diagnosis and treatment of said physician's or said group of physicians' own patients, and where all testing is performed by or under the direct supervision of said physician or said physicians; (ii) a hospital or clinic licensed under section 51 of chapter 111 used exclusively in connection with the diagnosis or treatment of the hospital's or clinic's own patients; or (iii) any case exempted under subsection (b) to (d), inclusive, of 42 U.S.C. section 1395nn, or specifically permitted by regulations or rules of the United States Secretary of Health and Human Services, the federal Centers for Medicare or Medicaid Services, the executive office of health and human services or the executive office for administration and finance.
SECTION XX. Said chapter 111D is hereby further amended by inserting after section 8 the following section:-
Section 8A. It shall be a violation of this section for any person or company to knowingly refer, request, order or send any specimen derived from the human body for examination to a clinical laboratory in which the person or company, or any of its owners, directors, partners, employees or family members thereof have a direct or indirect ownership interest. This section shall not apply to: (i) a clinical laboratory owned by a licensed physician, or group of licensed physicians, and used exclusively in connection with the diagnosis and treatment of said physician's or said group of physicians' own patients, and where all testing is performed by or under the direct supervision of said physician or said physicians; (ii) a hospital or clinic licensed under section 51 of chapter 111 used exclusively in connection with the diagnosis or treatment of the hospital's or clinic's own patients; or (iii) any case exempted under subsections (b) to (d), inclusive, of 42 U.S.C. section 1395nn, or specifically permitted by regulations or rules of the United States Secretary of Health and Human Services, the federal Centers for Medicare or Medicaid Services, the executive office of health and human services or the executive office for administration and finance.
SECTION XX. Said chapter 111D is hereby further amended by striking out section 13, as appearing in the 2012 Official Edition, and inserting in place thereof the following 2 sections:-
Section 13. (a) Whoever maintains a clinical laboratory in the commonwealth without a license in violation of section 4 or whoever, being licensed under section 5 maintains a clinical laboratory in violation of the terms of such license, or whoever engages in, aids, abets, causes or permits any act prohibited under section 8, or whoever refers, requests, orders or sends any specimen derived from the human body in violation of section 8A shall be punished by imprisonment for not more than 5 years in state prison, or by imprisonment in a jail or house of correction for not more than 2 and 1/2 years or by a fine of not more than $10,000, or by both such fine and imprisonment. The commissioner shall transmit to the attorney general such evidence of an offense as the department may have in its possession.
(b) If a person or company violates the provisions of clause (17) of section 8 or section 8A, the attorney general may bring a civil action, either in lieu of or in addition to a criminal prosecution, and may recover a civil penalty of not less than $5,000 and not more than $10,000 per violation, plus 3 times the amount of damages sustained, including consequential damages. A person violating clause (17) of section 8 or section 8A shall also be liable to the commonwealth for the expenses of the civil action brought to recover any such penalty or damages, including, but not limited to, reasonable attorney's fees, reasonable expert's fees and the costs of investigation. No action shall be brought under this section more than 6 years after it accrues. The commissioner shall transmit to the attorney general such evidence of an offense as the department may have in its possession.
(c) A person or company that solicits, offers or enters into a referral arrangement or scheme with a clinical laboratory which the person or company knows or should know has a principal purpose of assuring referrals by the person or company to a particular clinical laboratory which, if the person or company directly made referrals to such clinical laboratory, would be in violation of clause (17) of section 8 or section 8A, shall be liable to the commonwealth for a civil penalty of not more than $100,000 for each referral arrangement or scheme plus 3 times the amount of damages sustained, including consequential damages. No action shall be brought under this section more than 6 years after it

accrues. The commissioner shall transmit to the attorney general such evidence of an offense as the department may have in its possession.
Section 14. Pursuant to the authority of the department under clause (8) of section 2, the department shall require all clinical laboratories to disclose any ownership interests in writing to the department every 2 years. Such disclosure shall contain the name and ownership interest of the disclosing person or company, as well as the names and all ownership interests of all other parties with an ownership interest in the clinical laboratory. A copy of said disclosure shall be provided by the clinical laboratory to the attorney general. Any person who fails to provide such disclosure shall be subject to a fine not exceeding $5,000 by the department."
The amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in section 2, in item 4516-1022, by striking out the figure " $250,619" and inserting in place the figures:- "$276,619".
The amendment was adopted.

Mr. Keenan, Ms. Spilka and Mr. Eldridge moved that the proposed new text be amended by inserting at the end the following new section:
"SECTION __. Chapter 111 of the General Laws is hereby amended by inserting after section 51J the following section:- Section 51K. The department, in conjunction with the center for health information analysis, shall require each hospital in the commonwealth that operates an emergency room to collect and report to the department on the use of the emergency room by patients seeking mental health or substance abuse services; provided, that hospitals shall collect and report data in full compliance with the Health Insurance Portability and Accountability Act of 1996 (HIPAA) Privacy Public Law 104-191. For patients that present to the emergency department for such services, the hospital shall collect and aggregate the following information and report on a quarterly basis: (1) number of visits to the emergency room per month; broken down by visit type: medical, mental health, substance abuse, and combined medical, mental health or substance abuse; (2) Length of time between admission and evaluation by the attending emergency room physician; (3) The type of insurance and carriers, and the number of patients who were clients of the department of mental health, the department of children and families or the department of developmental services; (4) The number of required evaluations by an emergency service provider, and as applicable, the average length of time between the initial calls to the emergency service provider and the time the emergency service provider responded; (5) Whether the patient's insurance type required a prior authorization request, and as applicable, the length of time between a submission of a prior authorization request to the patient's insurance plan and response time by the insurance plan; and (6) The length of time between the admission decision and the departure time to post-emergency treatment.
The department and the center for health information analysis shall compile an annual report based on the information submitted pursuant to this section that shall be published on the website of the center and shall be submitted to the joint committee on health care financing and the joint committee on mental health and substance abuse on or before December 31 of each year."
The amendment was adopted.

Mr. Finegold, Ms. Spilka, Mr. McGee, Ms. Candaras, Messrs. Donnelly, Rush and DiDomenico, Ms. Forry and Messrs. Brownsberger, Welch, Barrett, Eldridge and Montigny moved that the proposed new text be amended in section 2, in item 4403-2119, by striking out the figure "$9,197,502" and inserting in place thereof the following figure:- "$9,397,502".
The amendment was adopted.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting, after section ___, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, the bureau of substance abuse services shall create a public facing quality outcomes dashboard. This dashboard shall report on, but not be limited to (i) consumer satisfaction responses including treatment with dignity and respect, appropriatenessof services, expertise of treatment staff, consumer education, and other measures with respect to the provision of substance abuse services; and (ii) nationally recognized Washington Circle and federal SAMSHA outcome-based measurers, including, but not limited to, step-down to next level of care, abstinence measures, and recidivisim to higher levels of care within 14-days and 30-days. All outcomes reporting and any qualititative assessments of said outcomes shall adjust for and reflect the acuity of patients admitted to a particular service, including, but not limited to, homelessness status, prior mental health treatment, substance abuse treatment, and other co-occurring disorders; provided further that quality outcomes reported on the public facing dashboard shall not constitute grounds for any insurance carrier, as defined in section 1 of chapter 176O, to deny admission or reimbursement for substance abuse services.
Said dashboard shall also include demographic information such as race, ethnicity and gender.
Said dashboard shall be inm place by no later than June 30, 2015."
The amendment was adopted.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section___, the following new section:-
"SECTION _. Notwithstanding any general or special law to the contrary, the department of public health shall prepare a

report examining overall substance abuse bed capacity across the full continuum of care from both detox and post-detox treatment as well as a plan to ensure access to both short and long term care and all needed case management and medication assisted treatment (MAT) supports.
The department of public health shall submit the report and plan to the clerks of the house and senate and the joint committee on public health no later than December 31, 2014."
The amendment was adopted.

Mr. Wolf moved that the proposed new text be amended by inserting after section 19, the following section: -
"SECTION 19A. Chapter 17 of the General Laws is hereby amended by inserting after section 19 the following section:- Section 20. (a) There shall be an interagency council on substance abuse and prevention. The council shall: (i) support the efforts of the department of public health to supervise, coordinate and establish standards for the operation of substance use prevention and treatment services; (ii) oversee implementation of initiatives and programs that effectively direct the existing resources and minimize the impact of substance abuse; (iii) develop and recommend formal policies and procedures for the coordination and efficient utilization of programs and resources across state agencies and secretariats; (iv) develop an annual report and submit to the governor, on or before November 30 of each year, all activities of the council and recommend further efforts and resource needs; and (v) review the role and functions of the advisory council on alcoholism and the drug rehabilitation advisory board and recommend changes, as necessary.
(b) The council shall consist of the following members or their designees: the secretary of health and human services who shall serve as chair; the secretary of public safety; the secretary of elder affairs; the secretary of veterans affairs; the commissioner of education; the commissioner of correction; the chair of the parole board; the commissioner of probation; the commissioner of public health; the commissioner of youth services; the commissioner of mental health; the commissioner of developmental services; the commissioner of the Massachusetts rehabilitation commission; the commissioner of transitional assistance; the commissioner of children and families; the commissioner of the center for health information and analysis; the commissioner for the deaf and hard of hearing; the commissioner of early education and care; the assistant commissioner of public health for substance abuse services; the director of Medicaid; a representative of the juvenile court; a representative of the superior court; a representative of the district court; a representative of the governor's office; 1 private citizen who is recovering from substance abuse problems who shall be appointed by the governor; 1 member appointed by the president of the senate; 1 member appointed by the speaker of the house; 1 member appointed by the senate minority leader; 1 member appointed by the house minority leader; and other appropriate representatives as determined by the governor. The council may appoint an executive director to perform administrative functions and advocate on behalf of the council. All members shall serve without compensation in an advisory capacity.
(c) The council shall meet at least 4 times annually and shall establish task groups, meetings, forums and any other activity deemed necessary to carry out its mandate.
(d) The council shall establish an executive committee composed of at least 11 members who shall meet on a bi-monthly basis to provide guidance on the recommendations of the council. At minimum, the executive committee shall be comprised of the following members or their designees: the secretary of health and human services; the secretary of public safety; the commissioner of public health; the commissioner of children and families; the commissioner of correction; the commissioner of mental health; the commissioner of youth services; the director of Medicaid; the assistant commissioner of public health for substance abuse services; and at least 2 additional members from the council.
(e) All affected agencies, departments and boards of the commonwealth shall fully cooperate with the council. The council may call and rely upon the expertise and services of individuals and entities outside of its membership for research, advice, support or other functions necessary and appropriate to further accomplish its mission."
The amendment was adopted
Mr. Wolf moved that the proposed new text be amended by inserting after section 88, the following new section: -
"SECTION __. There is hereby established a special commission for the purposes of investigating and studying the development of criteria for mandated treatment or monitoring of nonviolent offenders with substance addictions and to expand effective, evidence based addiction treatment programs for nonviolent substance addicted offenders.
The commission shall consist of the court administrator or a designee, who shall serve as co-chair; the director of the bureau of substance abuse services or a designee, who shall serve as co-chair; the chief justice of the trial court or a designee; the attorney general or a designee; the secretary of public safety and security or a designee; the commissioner of the department of correction or a designee; the chair of the parole board or a designee; the commissioner of the department of probation or a designee; the chief counsel of the committee for public counsel services or a designee; the commissioner of the department of mental health or a designee; the secretary of the department of veterans' services or a designee; 2 members of the senate, 1 of whom shall be appointed by the senate president and 1 of whom shall be appointed by the senate minority leader; 2 members of the house of representatives, 1 of whom shall be appointed by the speaker of the house and 1 of whom shall be appointed by the house minority leader; the president of the Massachusetts District Attorneys Association or a designee; the president of the Massachusetts Bar Association or a designee; and 2 members appointed by the governor, 1 of whom shall be a substance addiction treatment expert and 1 of whom shall be a mental health treatment expert.
Such investigation and study shall include, but not be limited to: (a) an evaluation of the application and effectiveness of 'Standards on Substance Abuse,' approved by the justices of the supreme judicial court on April 28, 1998, and

recommendations to improve and ensure the consistent application of the standards in the courts; (b) an evaluation and recommendations for improvement of specialty courts that address substance addictions, including current eligibility requirements or practices, availability of such courts and use of best practices in establishing quality of services; (c) the optimum number and estimated expansion costs associated with the drug courts necessary to meet the needs of the total annual number of nonviolent substance addicted offenders; (d) an evaluation of the number and type of nonviolent offenses committed by substance addicted defendants adjudicated in the commonwealth; (e) the development of a definition of nonviolent substance addicted offender; (f) an examination of best practices relative to specialty courts that deal with substance addicted offenders, both within the commonwealth and in other states; (g) an assessment of the quantity, quality and availability of effective, evidence based addiction treatment programs in the commonwealth; and (h) an assessment of the cost of expanding addiction treatment resources to meet the needs of the total annual number of nonviolent substance addicted offenders.
The commission shall submit its report and findings, along with any draft of legislation, to the house and senate committees on ways and means, the joint committee on the judiciary, the joint committee on public health, the joint committee on mental health and substance abuse, and the clerks of the house of representatives and the senate on or before December 31, 2014."
The amendment was adopted.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 4000-0500, by adding at the end thereof the following: "provided further, that the office of Medicaid shall provide a two percent rate increase for the managed care organizations that are under contract with the commonwealth to deliver managed care services to Masshealth and care plus enrollees, said rate increase shall not be used to reduce in any way the calculation of additional financial obligations of the managed care organizations, including increases to the Medicaid fee schedules for hospital and physician services, the affordable care act's insurer fee and the related tax liability, and any other costs that arise during the fiscal year that were not included in the development of the managed care capitation payments".
The amendment was adopted.

Ms. Candaras and Messrs. Michael O. Moore and Welch moved that the proposed new text be amended in section 2, in item 4800-1400, by adding the following words:- "and provided further, that not more than $1,100,000 shall be expended to increase purchased room capacity at current domestic violence shelter providers via an open solicitation to be awarded based on factors determined by the department of children and families, including demonstrated need in the community"; and by striking out the figure "$23,201,437" and inserting in place thereof the following figure:- "$24,301,437".
The amendment was adopted.

Ms. Chandler, Ms. Jehlen, Mr. Lewis, Ms. Creem, Messrs. Finegold and Keenan, Ms. Forry and Messrs. DiDomenico, Donnelly and Tarr moved that the proposed new text be amended by inserting after section 122, the following new section:-
"SECTION 122A. The department of public health shall amend the licensure procedure and suitability requirements for long-term care facilities to implement a hearing process that would precede approval of and allow for public input on any application for a license, notice of intent for transfer of ownership or notice of intent to sell or close any skilled nursing facility whether for-profit or non-profit."
The amendment was adopted.

Ms. Creem moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting after the words "fiscal year 2015" the following words:- "; and provided further, that not less than $150,000 shall be expended to the International Institute of New England for culturally and linguistically appropriate mental health services for immigrants and refugees who have experienced torture and trauma"; and by striking out the figures ″$357,569,145" and inserting in place thereof the figures:- "$357,719,145".
The amendment was adopted.

Ms. Flanagan moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting after the words "current fiscal year expenditure refunds;", in lines 32 and 33, the following words:- "provided further, that not less than $1,000,000 shall be expended for costs associated with the purchase and renovation of a mental health and drug and alcohol rehabilitation facility in the town of Petersham to serve the North Quabbin region and North Central Massachusetts;"; and by striking out the figure "$89,446,479" and inserting in place thereof the following figure:- "$90,446,479".
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 1410-1616, by adding the following words:- "; provided further, that not less than $200,000 shall be expended for restoration grants for Civil War Veterans' monuments, memorials and other significant sites across the commonwealth and for the preservation of Civil War related historic documents; and provided further, that not more than 10 per cent of the funds in this item shall be expended for the administration of Civil War sesquicentennial projects"; and by striking out the figure "$370,000" and inserting in

place thereof the following figure:- "$570,000".
The amendment was adopted.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 9110-9002, by inserting the following: "; provided further, that not less than $65,000 shall be expended for a one time grant to the City of Everett"; and by striking out the figures "$11,500,000" and inserting in place thereof, "$11,565,000".
The amendment was adopted.

Ms. Creem, Messrs. Lewis and Eldridge moved that the proposed new text be amended in section 2, in item 4510-0020, by striking out the figures "$72,775" and inserting in place thereof the figures:- "$233,203".
The amendment was adopted.

Mr. Donnelly moved that the proposed new text be amended in section 2, in item 5042-5000, by adding at the end thereof the following: "provided that the department shall expend not less than $150,000 for the Arlington Youth Counseling Center"; and by striking out the figures "$87,620,612" and inserting in place thereof the figures "$87,770,612".
The amendment was adopted.

Ms. Forry moved to amend the proposed new text by inserting after section 86, the following section:-
"SECTION 86A. (a) There shall be a legislative-executive working group to examine and make recommendations relative to Bridgewater state hospital including the provision of mental health services, the care and protection of the inmates at the hospital and the development and implementation of specialized or general training requirements for all hospital employees coming into contact with the inmates at the hospital. The working group shall consider and make recommendations for ways to effectuate better coordination and cost containment of mental health services, care and protection, initial and in-service trainings, record keeping and oversight of the hospital.
(b) The working group shall consist of the following 9 members: (i) the house and senate chairs of the joint committee on public safety and homeland security, who shall serve as co-chairs; (ii) the house and senate chairs of the joint committee on mental health and substance abuse; (iii) 1 member of the house of representatives, who shall be selected by the house minority leader; (iv) 1 member of the senate, who shall be selected by the senate minority leader; (v) the commissioner of mental health or a designee; (vi) the commissioner of correction or a designee; and (vii) the commissioner of public health or a designee. As necessary, the working group: (A) shall meet with affected stakeholders; (B) shall consult and collaborate with nongovernmental organizations that have expertise that may benefit the working group; and (C) may create advisory groups that include affected stakeholders.
(c) The working group shall file a report not later than March 1 2015, including recommendations and any proposed legislation, with the clerks of the house and senate and the house and senate chairs of the committees on ways and means.".
The amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 4590-1507, by adding the following words:- "and provided further, that not less than $200,000 shall be provided to the Alliance of Massachusetts YMCAs, Inc., to support impact speaking engagements for high school aged youth on the subject of substance abuse, with the goal of performing twice in each county"; and by striking out the figure "$3,050,000" and inserting in place thereof the following figure:- "$3,250,000".
The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4800-0041, by inserting at the end thereof the following: "; provided, that no less than $75,000 shall be appropriated to South Boston en Acción (SBEA) for the implementation of leadership development training; ESOL, STEM and basic computer skills instruction; English-Spanish immersion training and Spanish-English immersion training"; and by striking out the figure "$216,417,590" and inserting in place thereof the following figure: "$216,492,590".
The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4800-0038, by striking out the language in line 22 "$75,000" and inserting in its place the language "$150,000"; and by striking out the figure "$260,165,865" and inserting in place thereof the following figure: "$260,240,865".
The amendment was adopted.

Ms. Forry moves that the proposed new text be amended in section 2, in item 4800-0040, by inserting at the end thereof the following: "; provided, that no less than $75,000 shall be allotted for the operation of the Labouré Center in South Boston and its Recovery Connections program"; and by striking out the figure "$44,610,551" and inserting in place thereof the following figure: "$44,685,551".
The amendment was adopted.

Messrs. Tarr, Hedlund, Montigny and Wolf moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION 85A. Item 2330-0100 of section 2 of chapter 38 of the acts of 2013, as amended by section 20 of chapter 52 of the acts of 2014, is hereby further amended by adding the following words:- '; and provided further, that up to $220,000 in funds unexpended in fiscal year 2014 shall not revert and shall be made available to implement an interdepartmental service agreement with the department of public health to address new concerns associated with bacterial contamination of marine waters and shellfish until June 30, 2015'."
The amendment was adopted.

Ms. Forry, Messrs. DiDomenico and Rush moved that the proposed new text be amended in section 2, by inserting after item 4513-0111, the following item:-
"4513-1098 For the provision of statewide support services for survivors of homicide victims including outreach services, burial assistance, grief counseling and other support services; provided, that funds shall be expended as grants in the aggregate amount of $150,000 to the Louis D. Brown Peace Institute, a community based support organization dedicated to serving families and communities impacted by violence…… $150,000".
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Chapter 19B of the General Laws is hereby amended by adding the following section:-
Section 19. No program which is operated, funded or licensed by the department of developmental services shall employ the use of Level III Aversive Interventions to reduce or eliminate maladaptive behaviors; provided, however, that individual-specific exceptions allowing the use of Level III Aversive Interventions to reduce or modify behavior may be granted to individuals who, as of September 1, 2011, have an existing court-approved treatment plan which includes the use of Level III Aversive Interventions. Such exception may be granted each year if the exception is contained in an individual's behavior treatment plan, approved by the court prior to September 1, 2011. Any Level III Aversive Interventions administered under this section shall comply with 115 CMR 5.14 (4)(b)4."
The amendment was adopted.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Chapter 19B of the General Laws is hereby amended by adding the following section:-
Section 19. (a) For the purpose of this section, 'person with a disability' shall mean a person with a permanent or long-term physical or mental impairment that prevents or restricts such individual's ability to provide for such individual's own care or protection.
(b) No program, agency or facility funded, operated, licensed or approved by the commonwealth or any subdivision thereof shall administer to a person with a disability any procedure which causes obvious signs of physical pain, including, but not limited to, hitting, pinching or electric shock for the purposes of changing the behavior of such person. No such program shall employ any form of physical contact or punishment on a person with a disability that is otherwise prohibited by law or would be prohibited if used on a person who does not have a disability. No such program shall employ any procedure which denies a person with a disability adequate sleep, food, shelter, bedding or bathroom facilities."
The amendment was adopted.

Ms. Chandler and Messrs. Michael O. Moore and Eldridge moved that the proposed new text be amended by inserting after section 117, the following section:-
"SECTION 117A. The executive office of health and human services shall make an additional operating transfer of $52,00,000 under item 1595-1068 of section 2E to the MassHealth provider payment account in the Medical Assistance Trust Fund established in section 2QQQ of chapter 29 of the General Laws. The additional payment shall be made in a manner consistent with said item 1595-1068 of said section 2E and shall be subject to the availability of federal financial participation, shall be made only under federally-approved payment methods, shall be consistent with federal funding requirements and all federal payment limits, as determined by the secretary of health and human services, and shall be subject to the terms and conditions of an agreement with the executive office of health and human services."
The amendment was adopted.

Ms. Creem, Messrs. McGee, Michael O. Moore and Rush, Ms. Spilka and Mr. Joyce moved that the proposed new text be amended in section 2, in item 9110-1660, by striking out the figure "$428,000" and inserting in place thereof the following figure:-"$642,000"; and by striking out the figures "$2,086,626" and inserting in place thereof the figures "$2,300,626".
The amendment was adopted.

Ms. O'Connor Ives moved that the proposed new text be amended by inserting after section 59, the following section:-
"SECTION 59A. Chapter 111 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 72AA the following section:-
Section 72BB. (a) For the purposes of this section the term 'facility' shall mean a nursing home, rest home or other long term care facility.

(b) The department shall establish a schedule of psychotropic medications that shall not be administered to a resident by a facility without informed written consent.
(c) Prior to administering psychotropic medication listed on the schedule created under subsection (b) a facility shall obtain the informed written consent of the resident, the resident's health care proxy or the resident's guardian. Informed written consent shall be obtained on a form approved by the department, which shall include, at a minimum, the following information: (i) the purpose for administering the listed psychotropic drug; (ii) the prescribed dosage; and (iii) any known effect or side effect of the psychotropic medication. The written consent form shall be kept in the resident's medical record.";
By inserting after section 125 the following section:-
"SECTION 125A. The department of public health shall adopt regulations to implement section 72BB of chapter 111 of the General Laws prior to January 1, 2015."; and
By inserting after section 131 the following section:-
"SECTION 131A. Section 59A shall take effect January 1, 2015."
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended by inserting the following new section:-
"SECTION __. The secretary of health and human services, the secretary of education, the secretary of labor and workforce development and the secretary of housing and economic development shall convene a committee to develop a response strategy and draft proposals for a federal 'Performance Partnership Pilots for Disconnected Youth' solicitation. Said response strategy shall include, but not limited to, a draft proposal for improving outcomes for youths aging out of foster care and a draft proposal for juveniles engaged with the criminal justice system. The committee shall report such strategy and draft proposals to the chairs of the joint committee on ways and means, within thirty days of enactment of this Act."
The amendment was adopted.

Messrs. Welch, Wolf, Downing and Michael O. Moore, Ms. Candaras, Ms. Chandler, Messrs. Rodrigues, Rush, Finegold and Keenan, Ms. Jehlen, Mr. Brownsberger, Ms. O'Connor Ives, Ms. Chang-Diaz, Ms. Forry and Messrs. DiDomenico, Kennedy, Pacheco and Humason moved that the proposed new text be amended in section 2, in item 4000-0700, by inserting after words "wellness goals" the following words:- "; provided further, that MassHealth shall provide an additional 5 per cent of its standard payment amount per discharge, or SPAD, above fiscal year 2013, or of reimbursement provided under any subsequent inpatient payment methodologies and an additional 5 per cent to its outpatient payment amount per episode or PAPE, above fiscal year 2013, or of reimbursement provided under any subsequent outpatient payment methodologies, to any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, MassHealth shall provide a supplemental payment of at least $12,307,769 for inpatient and outpatient behavioral and mental health services provided by any acute care hospital that has greater than 63 per cent of its gross patient service revenue from governmental payers and free care as determined by the executive office of health and human services; provided further, that said behavioral and mental health supplemental payment shall be subject to all required federal approvals and the availability of federal financial participation and shall be prioritized for services provided to children and adolescents; provided further, that if federal financial participation is not available for said behavioral and mental health supplemental payments, the executive office of health and human services shall make a payment of not less than $6,153,885;".
The amendment was adopted.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting after the words "adequate quality;" the following words:- "provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services;".
The amendment was adopted.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 4510-0110, by inserting after the word "services" the following words:- "; provided that not less than $250,000 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under Section 330(f)(1) of the United States Public Health Service Act at 42 USC 254c(f)(1)".
The amendment was adopted.

Messrs. Barrett and Donnelly, Ms. Jehlen, Messrs. Michael O. Moore and Keenan, Ms. O'Connor Ives, Ms. Donoghue, Messrs. Humason and Hedlund, Ms. Spilka, Ms. Forry, Mr. Welch, Ms. Candaras and Messrs. Finegold, Brownsberger, Rodrigues and Joyce moved that the proposed new text be amended in section 2, in item 4800-1100, by adding the following words:- "; and provided further, that $200,000 shall be expended to hire additional staff and for associated operating costs in the department's fair hearing system"; and by striking out the figure "$180,351,997" and inserting in place thereof the following figure:- "$182,551,997".
The amendment was adopted.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the commonwealth, by and through the governor or the governor's designee shall formally request a permanent federal waiver from the burdensome market rating rules in CMS-9972-F that specify permissible rating factors and require annual rate setting under The Patient Protection and Affordable Care Act, Pub. L. 111-148 & 111-152, including but not limited to a waiver under Section 1332 of the Act. All negotiations with any federal agency concerning this waiver shall be conducted in consultation with the house and senate chairs and ranking minority members of the joint committee on health care financing. The governor or the governor's designee shall file a detailed report describing the waiver application and waivers received, along with all documentation, including, but not limited to, all related written and verbal responses from the department of health and human services, with the clerks of the senate and house not later than December 31, 2014. The governor shall report monthly to the joint committee on health care financing and the house and senate committees on ways and means on the status of the waiver request under this section."
The amendment was adopted.

Messrs. Eldridge, Barrett and Ross, Ms. Spilka, Ms. Chandler, Messrs. Donnelly and Timilty, Ms. Candaras, Mr. Keenan, Ms. Lovely, Messrs. Rush and DiDomenico, Ms. Creem, Ms. Donoghue and Messrs. Lewis, Hedlund, Montigny, Michael O. Moore, Finegold, Welch, Joyce and McGee moved that the proposed new text be amended in section 2, by inserting after item 4513-1130, the following item:-
"xxxx-xxxx For a competitive grant program in public schools from grades 5 through 12 that will promote healthy relationships and address teen dating violence; provided, that the department of elementary and secondary education shall develop a 3 year grant program for 10 schools on anti-teen dating violence programming for implementation for the school year beginning in 2015; provided further, that the grant program shall be for schools in which the majority of students are eligible for free or reduced lunch; and provided further, that at least 1 grantee shall be a school located in a municipality with a population of 25,000 or less ……..…….....…… $150,000".
The amendment was adopted.

Mr. Humason moved that the proposed new text be amended in section 2, by striking out item 1410-0018, and inserting in place thereof the following item:-
"1410-0018 For the department of veterans' services, which may expend not more than $740,000 for the maintenance and operation of veterans' cemeteries in the city known as the town of Agawam and the town of Winchendon from revenue collected from fees, grants, gifts or other contributions to the cemeteries; provided, that up to $175,000 shall be expended for the maintenance and expansion of the columbarium walls at the veterans' cemetery in the city known as the town of Agawam; and provided further, that for the purpose of timing discrepancies between the receipt of retained revenues and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lower of this authorization or the most recent estimate as reported in the state accounting system, prior appropriation continued…… $740,000".
The amendment was adopted.

Ms. Flanagan moved that the proposed new text be amended in section 2, in item 5042-5000, in lines 18 and 20, by striking out the word "may" and inserting in place thereof the following word:- "shall".
The amendment was adopted.

Mr. Eldridge moved that he proposed new text be amended in section 2, in item 4512-0200, by adding at the end thereof the following:- "; and provided further, that not less than $15,000 shall be expended for a city wide youth drug and alcohol awareness campaign for the city of Marlborough"; and by striking the figure "$88,827,334" and inserting in place thereof the figures "$88, 842,334".
The amendment was adopted.

Messrs. Richard T. Moore and Downing moved that the proposed new text be amended in section 2, in item 4000-0300, by adding at the end thereof the following:- "; provided further, that for purposes of long-term health care cost savings and enhanced patient care, the commonwealth shall recognize telehealth remote patient monitoring provided by home health agencies as a service to clients otherwise reimbursable through Medicaid".
The amendment was adopted.

Mr. Richard T. Moore and Ms. Creem moved that the proposed new text be amended in section 2, in item 4510-0712, by adding at the end thereof the following:- "; provided further, that not less than $150,000 shall be expended for the hiring of 2 positions, 1 full-time data registrar and 1 part-time data analyst in the office of emergency medical services"; and by striking out the figures "$2,481,081" and inserting in place thereof the figures "$2,631,081".
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 7003-1206, by adding at the end thereof the following:- "; provided further, that not less than $100,000 shall be expended for community outreach and

education efforts to the Hispanic senior citizens of the town of Southbridge"; and by striking out the figures "$750,000" and inserting in place thereof the figures "$850,000".
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 4590-1507, by inserting at the end thereof the following:- "; provided further that the department shall award not less than $50,000 to the Milford Youth Center"; and by striking out the figures "$3,050,000" and inserting in place thereof the figures "$3,100,000".
The amendment was adopted.
As previously stated the above amendments were considered as one and adopted.

There being no objection, the following amendments were considered as one and rejected, as follows:

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION AA. (a) 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 shall be waived without the need for any showing by the taxpayer of reasonable cause or the absence of willful neglect for the failure of the taxpayer to: (i) timely file any proper return for any tax type and for any tax period; (ii) file proper returns which report the full amount of the taxpayer's liability for any tax type and for any tax period; (iii) timely pay any tax liability; or (iv) pay the proper amount of any required estimated payment toward a tax liability. The waiver of a taxpayer's liability under this section shall apply if the taxpayer files returns, makes payments as required by the commissioner or otherwise comes into compliance with the tax laws of the commonwealth as required by the commissioner pursuant to the tax amnesty program. The scope of the program, including the particular tax types and periods covered, including any limited look-back period for unfiled returns, shall be determined by the commissioner; provided, however, the commissioner shall include, but not be limited to, the following tax types within the scope: sales and use tax, sales tax on telecommunications services, meals tax, meals tax local option, materialman sales tax, withholding income, performer withholding, pass-through entity withholding, lottery annuity withholding, room occupancy excise, room occupancy excise local option, convention center financing fees on room occupancy in Boston, Cambridge, Chicopee, Springfield, West Springfield, and Worcester, convention center financing surcharge for sightseeing tours, convention center financing surcharge on vehicle rentals in Boston, convention center financing surcharge on parking in Boston, Springfield, and Worcester, deeds excise, cigarette excise, cigars and smoking tobacco excise, club alcohol beverage excise, gasoline excise, special fuels excise, special fuels excise local option, and boat and recreational vehicles sales tax.
(b) The amnesty program shall be established for 2 consecutive months within fiscal year 2015 to be determined by the commissioner, such period to expire not later than June 30, 2015, and all required payments shall be made on or before June 30, 2015, in order for the amnesty to apply. If a taxpayer fails to pay the full liability before June 30, 2015, the commissioner shall retain any payments made and shall apply those payments against the outstanding liability, and the provisions of the tax amnesty program shall not apply.
(c) 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, was the subject of a tax-related criminal investigation or prosecution. The amnesty program shall not authorize the waiver of interest or any amount treated as interest. The commissioner may offer tax amnesty to those taxpayers who have either an unpaid self-assessed liability or who have been assessed a tax liability, whether before or after the filing of a return, which assessed liability remains unpaid.
(d) To the extent that a taxpayer within the scope of the amnesty program as determined by the commissioner and 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.
(e) Amnesty 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.
(f) The commissioner shall maintain records of the amnesty provided under this section including, but not limited to: (i) the number of taxpayers provided with amnesty; (ii) the types of tax liability for which amnesty was provided and, for each type of liability, the amount of tax liability collected and the amount of penalties foregone by virtue of the amnesty program; and (iii) the total outstanding tax liability for amnesty-eligible taxpayers at the conclusion of the tax amnesty program after the collection 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 joint committee on revenue, 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 September 1, 2015; provided, however, that such report shall not contain information sufficient to identify an individual taxpayer or the amnesty that an individual taxpayer was provided under this section.

(g) Any taxpayer who utilizes the provisions of this tax amnesty program shall be precluded from utilizing any future tax amnesty programs for the next consecutive ten years, beginning in calendar year 2015.
SECTION BB. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Commonwealth Opioid Overdose Prevention and Education Trust Fund to be used, without appropriation, by the executive office of health and human services, in consultation with the department of public health and the department of mental health, for the purposes of opioid overdose prevention and education including but not limited to the following: providing communities with drug take-back boxes; for bulk purchases of intra-nasal naloxone from the federal government to provide to communities at discounted rates; and increased access to naloxone for all emergency responders. Funds may be expended for the opioid overdose prevention and reversal project, pursuant to chapter 94C of the general laws. One-half of the revenues received by the commonwealth pursuant to section AA of this act shall be deposited into the trust fund; provided, the amount deposited is no more than $5,000,000. All monies deposited into the fund shall be expended exclusively for the purposes set forth in this section. No expenditure from said fund shall cause said fund to be in deficiency at the close of a fiscal year.
SECTION CC. Any remaining amount of revenues received by the commonwealth, pursuant to section AA of this act, after amounts made available in section BB of this act, shall be deposited into the General Fund."
The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by inserting after section 132, the following new section:-
"Section X. Section 11 of Chapter 64D of the General Laws is hereby amended in the first sentence of the second paragraph by striking out the words '10.625 per cent' wherever they appear and inserting in place thereof the following:- '42.5 per cent'; and Section 12, Subsection (a) of Chapter 64D of the General Laws is hereby amended in the first sentence of the first paragraph by striking out the words '10.625 per cent' and inserting in place thereof the following:- '42.5 per cent'."
The amendment was *rejected*.

Messrs. Ross, Hedlund, Tarr, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new sections:-
"SECTION 1. Chapter 64A is hereby amended by inserting after section 7A the following section:-
Section 7B. Any municipality of the commonwealth that buys any fuel on which an excise tax has been paid under chapter 64A and, which fuel has been purchased for its municipal consumption and use, shall be reimbursed fifty per cent of the amount of such excise tax paid in the manner and subject to the conditions herein provided. All claims for reimbursement shall be filed with the commissioner of revenue and shall be made in such form and containing such information, and accompanied with supporting documentation, as the commissioner of revenue shall prescribe. The commissioner of revenue shall establish a quarterly calendar year schedule for the submission of claims by municipalities for reimbursement of such paid fuel excise taxes. No reimbursement for such excise tax paid shall be made for any claim submitted after 6 months from the date of the purchase of such fuel. The commissioner of revenue shall transmit all claims approved by him to the comptroller for certification, and the amount so approved and certified as aforesaid shall be paid forthwith from the proceeds of the excise tax levied under this chapter 64A, without specific appropriation. No claim for reimbursement for said excise tax shall be made by a municipality under sections 7 and 7A of chapter 64A, for fuel purchased during said period, to which a municipality is entitled to claim a reimbursement under this section.
SECTION 2. Section 13 of Chapter 64A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the words 'seven and seven A' in line 3, and inserting in place thereof, the following words:- 'seven, seven A and seven B'."
The amendment was *rejected*.

Messrs. Finegold and Michael O. Moore moved that the proposed new text be amended in section 2, by inserting after item 0337-0002 the following item:
"0337-0003 For the operation of the Massachusetts Court Appointed Special Advocates (CASA) programs provided that in fiscal year 2015 CASA program funding shall not be reduced from the amount allocated to the CASA programs as appearing in items 0337-0300 (Hampden County CASA Program) and 0337-0600 (Northern Essex (Lawrence) County CASA Program) of section 2 of chapter 182 of the acts of 2008; provided further that $100,000 shall be expended for the Boston CASA Program; provided further that $100,000 shall be expended for the Worcester CASA Program; provided further that $100,000 shall be expended for the Franklin/Hampshire CASA Program…. $545,841".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"Notwithstanding any general or special act, law, rule or regulation to the contrary, the Chief Justice of the Juvenile Court, in consultation with the municipal officials, police departments, school systems, human service agencies involved with child welfare, and other stakeholders as the justice may deem appropriate which are within the jurisdiction of the Gloucester District Court, shall study the feasibility of developing and implementing a plan to ensure access to the juvenile court by the communities served by the Gloucester District Court through the presence of a satellite juvenile court housed in the Gloucester District Court and operating for the number of hours and days per month necessary to

provide such access."
The amendment was *rejected*.

Mr. Brownsberger and Ms. Jehlen moved that the proposed new text be amended by adding the following new sections:-
"SECTION XX. Section 16 of chapter 125 of the General Laws, as appearing in 2010 Official Edition, is hereby amended by adding, at the end thereof, the following sentence:- The commissioner of corrections may place female prisoners held for trial in a community corrections program under chapter 211F.
SECTION XX. Section 4 of chapter 126, as appearing in the 2010 Official Edition, is hereby amended by inserting, after the first sentence, the following sentence:- The sheriff, superintendent, keeper or other officer in charge of the jail may place a person, who is charged with crime and committed for trial, in a community corrections program under chapter 211F.
SECTION XX. Section 48 of Chapter 127 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding, after the third sentence, the following sentence:- The commissioner or the administrators of county correctional facilities may place inmates in a community corrections program under chapter 211F.
SECTION XX. Section 49 of Chapter 127 of the General Laws, as so appearing, is hereby amended by adding after the word 'facility' in line 7 the following sentence:- or to participate in a community corrections program under chapter 211F;
SECTION XX. Section 90A of Chapter 127 of the General Laws, as so appearing, is hereby amended by adding after subsection (e) the following subsection: - ; (f) to participate in a community corrections program under chapter 211F; or .
SECTION XX. Subsection (a) of section 3 of chapter 211F of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following sentences:- Under section 49 of chapter 127, the commissioner of corrections or the administrator of a county correctional facility may place in a community corrections program an inmate eligible to participate in education, training or employment under section 48 of chapter 127. Under section 16 of chapter 125 or section 4 of chapter 126, the commissioner of corrections or the administrator of a county correctional facility may place a person who is being held for trial in a community corrections program under chapter 211F.
SECTION XX. Subsection (c) of section 3 of chapter 211F of the General Laws, as so appearing, is hereby amended by adding before the word 'sentence', in line 8, the following words:- court-ordered.
SECTION XX. Subsection (b) of section 4 of chapter 211F, as so appearing, is hereby amended by adding at the end thereof the following sentence: - and by the commissioner of corrections, under sections 48, 49 and 90A of chapter 127, for the purpose of re-entry and reintegration or, under section 16 of chapter 125 or section 4 of chapter 126, for the purpose of community supervision of persons held for trial."
The amendment was *rejected*.

Ms. Creem, Messrs. Brownsberger and Eldridge and Ms. Jehlen moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Said chapter 119 of the General Laws, as so appearing, is hereby further amended by adding the following new section:--
Section 39DD. (a) For the purposes of this section, the term 'dependent on the court' shall mean subject to the jurisdiction of the court for the findings, orders, and referrals enumerated in this section but shall not constitute a finding of legal incompetence.
(b) The divisions of the probate and family court department shall hear petitions of persons, who have attained the age of 18 but remain under the age of 21, seeking a determination that, as a result of abuse, neglect, or abandonment that the petitioner suffered as a child, it is in the best interest of the petitioner not to return to the petitioner's or the petitioner's parent's previous country of nationality or country of last habitual residence.
(c) Upon reviewing the petition and any supporting affidavits, the court shall issue findings of fact which (1) declare the petitioner dependent upon the court as defined in this section; (2) determine whether the petitioner suffered as a child from abuse, neglect or abandonment as those terms are defined in 110 CMR 2.00, chapter 119 or in section 3 of chapter 210 of the General Laws; (3) determine whether reunification with one or both parents is not viable due to the abuse, neglect, or abandonment; and (4) determine whether as a result of the abuse, neglect or abandonment, it is not in the petitioner's best interest to be returned to the petitioner's or the petitioner's parent's previous country of nationality or country of last habitual residence.
The health and safety of the petitioner shall be of paramount, but not exclusive, concern in the above determinations. When considering the health and safety of the petitioner, the court shall consider whether the petitioner's present or past living conditions will adversely affect his physical, mental, moral or emotional health.
(d) The petitioner under this section may also request orders necessary to protect against further abuse, including, but not limited to, filing a complaint for an abuse prevention order as set out in chapter 209A of the General Laws.
(e) The court may refer the petitioner to a probation officer for assistance and such officer shall have the authority to make referrals to an appropriate public or private organization or person for psychiatric, psychological, educational, occupational, medical, dental or social services. The petitioner may not be compelled to participate in the referrals.
(f) The court shall hear the petition and issue the findings of fact under this section before the petitioner attains the age of 21.

(g) Nothing in this section shall be construed to prevent the divisions of the probate and family court department or the juvenile court department from issuing similar findings of fact to those in subsection (c) in any proceedings related to a child."
The amendment was *rejected*.

Mr. Tarr, Ms. O'Connor Ives and Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 2330-0100, by inserting after the word "action;" the following:- "provided further, that not less than $133,000 shall be expended for a Great Marsh Green Crab trapping program;" and by striking out the figure "$5,214,213" and inserting in place thereof the figure "$5,347,213".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2800-0501, 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 the city of Lynn".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2260-8870, by adding at the end thereof the following:- "provided further, that no less than $90,000 shall be provided for brownfield redevelopment in the City of Lynn".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2810-0100, by adding at the end thereof the following: "provided that no less than $30,000 shall be expended for the maintenance of Red Rock Park on Lynn Shore Drive, in the city of Lynn".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting at the end thereof the following:-
"SECTION __. Chapter 21 of the General Laws is hereby amended by inserting after section 31 the following section:-
Section 31A. The department of environmental protection shall administer a matching grant program for communities who desire to join the Massachusetts Water Resources Authority system for drinking water. Each grant shall match, on a 1:1 basis, money committed by a local government unit or a regional local governmental unit, as defined in section 1 of chapter 29C, to pay the entry fee established by the Massachusetts Water Resources Authority under section 8 of chapter 372 of the acts of 1984. The department shall award grants only to a local governmental unit or regional local governmental unit that satisfies the department that it has committed funds to join said Authority. Should the local governmental unit or regional local governmental unit fail to join said Authority after receiving a grant under this section, the local governmental unit or regional local governmental unit shall return money granted under this section to the department.
SECTION __. The department of environmental protection shall promulgate regulations for additional financial assistance including, but not limited to, principal forgiveness, for the cost to connect to the Massachusetts Water Resources Authority system for drinking water.
SECTION __. The Massachusetts Water Resources Authority shall accept a 25 year interest free payment of the entry fee established by the Massachusetts Water Resources Authority under section 8 of chapter 372 of the acts of 1984 for any local governmental unit or regional local governmental unit that joins the Massachusetts Water Resources Authority system for drinking water prior to January 1, 2020."
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided that not less than $50,000 shall be expended for a matching grant to the Hopkinton 300th Anniversary Celebration Committee for the commemoration of the three hundredth anniversary of the town of Hopkinton"; and by striking out the figures "$10,933,979" and inserting in place thereof the figures "$10,983,979".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7003-1206 by inserting at the end the following: "provided, that funds up to $135,000 may be administered for the Just-A-Start Corporation to provide training for entry level employment in the biotechnology and medical fields for unemployed, underemployed or displaced workers or persons receiving benefits from transitional aid to families with dependent children"; and by striking the figures "$750,000" and inserting in place thereof the figures "$885,000".
The amendment was *rejected*.

Mr. Donnelly, Ms. Spilka, Messrs. Barrett, Wolf, DiDomenico and Kennedy, Ms. Chang-Diaz and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 7004-9316, by inserting after the words "or are at risk of becoming homeless due to a significant reduction of income or increased expenses;" the following:-"provided, that up to $2,000,000 may be used for temporary emergency accommodations for not longer than 7 days for families at imminent risk of

homelessness in order to facilitate the maintenance or securing of housing or referral to other services; provided further, that, effective July 1, 2014, the department of housing and community development shall promptly refer to providers of such temporary accommodations funded by this item, those families who provide credible statements or other credible evidence that they are within 24 hours of staying in a place unfit for human habitation, who appear to have income that does not exceed 150 per cent of the federal poverty level and who are not eligible for emergency shelter services from the department; provided further, that those providers shall be available to receive and act on such referrals until at least 5 p.m. each day, Monday through Friday, but not including state and federal holidays; provided further, that nothing in this item shall relieve the department of its obligations under item 7004-0101, including the duty immediately to place families in emergency shelter if they appear to be eligible but need more time to collect verifications; provided further, that the department shall report monthly to the house and senate committees on ways and means and the house and senate clerks and the joint committee on housing detailing: (i) the number of families receiving temporary accommodations under this item; (ii) the average length of stay in temporary accommodations; and (iii) the total amount expended on temporary accommodations to date;"; and by striking out the figures "$10,500,000" and inserting in place thereof the figures "$12,500,000".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900 by adding at the end thereof the following:- "provided further, that not less than $200,000 shall be expended for survey, design and improvement to the Rail Trail in the City of Methuen".
The amendment was *rejected*.

Mr. Lewis, Ms. Jehlen, Messrs. Rush and DiDomenico, Ms. Donoghue, Ms. Forry, Ms. Chang-Diaz, Ms. O'Connor Ives, Ms. Creem and Messrs. Joyce and Barrett moved that the proposed new text be amended in section 2, in item 7007-0952, by striking out the figures "$3,500,000" and inserting in place thereof the following figure:- "$4,100,000".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900 by adding at the end thereof the following:- "provided further, that not less than $50,000 more than the amount allocated to the Pettengill House in item 7061-9404 under Chapter 61 of the Acts of 2007 shall be expended for the Pettengill House in Fiscal Year 2015".
The amendment was *rejected*.

Ms. O'Connor Ives and Mr. Tarr moved that the proposed new text be amended by inserting after section xx, the following new section:-
"SECTION XX. (a) Section 52 of Chapter 10 of the General Laws is hereby amended by striking out the words 'The governor shall also seek to assure membership from varied regions of the state' and inserting in place thereof:- 'The council shall include at least one member residing in each of the Commonwealth's fourteen counties, and not more than three members residing in any one county.
(b) This section shall take effect as of January 1, 2018.'."
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided further, that no less than $300,000 shall be expended for any marketing fees and economic studies associated with visiting historical artifacts touring the Commonwealth in 2014".
The amendment was *rejected*.

Ms. Lovely, Ms. Spilka and Messrs. Brownsberger, Welch and Donnelly moved that the proposed new text be amended in section 2, in item 7004-0101, by adding at the end thereof the following: "provided that funds shall be used to expand the number of congregate shelter beds"; and by striking out the figures "$136,946,602" and inserting in place thereof the following figures: "$156,946,602".
The amendment was *rejected*.

Ms. Spilka, Messrs. Eldridge and Michael O. Moore and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7002-0010, by adding at the end thereof the following:- "provided that $100,000 be expended for the 495/MetroWest Corridor Partnership, Inc. to coordinate the 495/MetroWest Suburban Edge Community Commission"; by striking out the figures "$1,287,712" and inserting in place thereof the figures "$1,387,712"; and by adding the following new section:
"SECTION XX. (a) There shall be a special commission to be known as the 495/MetroWest Suburban Edge Community Commission and to consist of: 3 members of the Senate, 1 of whom shall be from the minority party; 3 members from the House of Representatives, 1 of whom shall be from the minority party; the Secretary of Housing and Economic Development or a designee; the Secretary of the Massachusetts Department of Transportation or a designee; the Secretary of Energy and Environmental Affairs or a designee; the Executive Director of Massachusetts Development Finance Agency or a designee; the Chairman of the John Adams Innovation Institute or a designee; 1 member selected by

the 495/MetroWest Corridor Partnership, Inc.; 1 member selected by the Metropolitan Area Planning Council; 1 member selected by the Massachusetts Municipal Association, Inc.; 1 member selected by the Massachusetts Association of Planning Directors; 1 member selected by NAIOP Massachusetts, Inc.; 1 member selected by Massachusetts Water Works Association Inc.; 1 member selected by the MetroWest Regional Transit Authority; and 9 persons to be appointed by the governor, 1 of whom shall be an academic focused on suburban development, 1 of whom shall be a real estate professional with experience working in edge communities, 1 of whom shall be a water resources expert with experience working in edge communities, 1 of whom shall be a transportation engineer with experience working in edge communities, and 5 of whom shall be municipal officials who represent different municipalities served by the 495/MetroWest Corridor Partnership, Inc

(b) Said commission shall be established pursuant to section 2A of chapter 4 of the General Laws for the purpose of making an investigation and study relative to development challenges being experienced by edge communities, such as needs to address transportation, water, cellular, and energy infrastructure, transit services, residential development, reuse of former industrial facilities and historic mills, brownfields reclamation, downtown redevelopment, and other such constraints, and develop policy responses and recommendations to ensure that edge communities can participate in state development initiatives and benefit from state resources. To examine these issues at the needed level of detail, the commission shall focus its investigation and study on the 34 municipalities served by the 495/MetroWest Corridor Partnership, Inc. and develop a pilot program to address the issues to be studied and investigated by the commission. The commission shall choose certain municipalities served by the 495/MetroWest Corridor Partnership, Inc. to partake in the pilot program; provided, however, that the 5 municipalities represented by a municipal official chosen by the governor for appointment on the commission shall partake in the pilot program. For purposes of this section, 'edge community' shall mean a municipality with a population of no more than 35,000 that is not adjacent to a gateway municipality as that term is defined in section 3A of chapter 23A of the General Laws.

(c) Said commission shall report to the Clerks of the House of Representatives and Senate and the Joint Committee on Economic Development and Emerging Technology the results of its investigation and study and its recommendations, if any, by filing the same with the Clerks of the House of Representatives and Senate on or before December 31, 2015.

(d) All appointments to the commission shall be made within 90 days of the effective date of this act".

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new sections:-

"SECTION__. Section 35J of Chapter 10 of the General Laws, as appearing in the 2012 official edition, is hereby repealed in its entirety.

SECTION__. Chapter 23Aof the General Laws, as appearing in the 2012 official edition, is hereby amended by inserting after section 13S the following sections:-

Section___. (a) There shall be established and overseen by the partnership, as defined under section 13A of Chapter 23A, a fund to be known as the Massachusetts Tourism Trust Fund, hereinafter in this section referred to as the fund, to be held by the partnership separate and apart from its other funds. The fund shall be credited in the following phased-in scale:

(i) 1.25 cents of the 5.7 per cent of the room occupancy excise imposed by section 3 of the chapter sixty-four G of the general laws and section twenty-two of chapter five hundred and forty six of the acts of nineteen hundred and sixty-nine in the first year

(ii) 1.5 cents of the 5.7 per cent of the room occupancy excise imposed by section 3 of the chapter sixty-four G of the general laws and section twenty-two of chapter five hundred and forty six of the acts of nineteen hundred and sixty-nine in the second year

(iii) 1.75 cents of the 5.7 per cent of the room occupancy excise imposed by section 3 of the chapter sixty-four G of the general laws and section twenty-two of chapter five hundred and forty six of the acts of nineteen hundred and sixty-nine in the third year

(iv) 2 cents of the 5.7 per cent of the room occupancy excise imposed by section 3 of the chapter sixty-four G of the general laws and section twenty-two of chapter five hundred and forty six of the acts of nineteen hundred and sixty-nine in the fourth year

(b) In addition, the fund shall be credited all revenue as designated for the tourism fund under the gaming licensing fund and gaming revenue fund as established under chapter 23K.

(c) All available monies in the fund that are unexpended at the end of each fiscal year shall not revert to the General Fund and shall be available for expenditure by the fund in the subsequent fiscal year.

(d) Monies in said fund shall be applied as follows:

(i) 80 percent to the Massachusetts Marketing Partnership

(ii) 20 percent to regional tourism councils

(e) Said fund shall be overseen and administered by the board of the Massachusetts Marketing Partnership as established by section 13A of Chapter 23A.

(f) The partnership shall submit a report annually on December 31 on the cost-effectiveness of the tourism trust fund to the clerks of the house and senate and the joint committee on tourism, arts and cultural development."

The amendment was *rejected*.

Ms. Lovely and Mr. McGee moved that the proposed new text be amended in section 2, by inserting after item 7004-9028 the following item:
"xxxx-xxxx For North Shore InnoVentures of Beverly to support the development of early stage biotech and clean tech businesses ……..... $200,000".
The amendment was *rejected*.

Messrs. Wolf, Michael O. Moore and Eldridge, Ms. Spilka, Messrs. Barrett and Joyce and Ms. Forry moved that the proposed new text be amended in section 2, by inserting after item 7003-0170, the following item:
"xxxx-xxxx: For employment training program for unemployed or underemployed young adults with disabilities, provided that funds shall be awarded competitively by Commonwealth Corporation to community-based organizations with recognized success in creating strong collaborations with employers to consider young adults with disabilities; provided further that said organization shall provide extensive training and internship programming and ongoing post-placement support for participants and employers …….. $500,000".
The amendment was *rejected*.

Messrs. Wolf and Humason moved that the proposed new text be amended in section 2, by inserting after line item 7003-0201 the following item:
"xxxx-xxxx For the underground economy division…… $250,000"; and
By inserting the following new section:
"SECTION __. (A) Chapter 23 is hereby amended by adding the following section:-
Section 25. (a) There shall be within the department of labor standards an underground economy division. The director of the division shall support the efforts of the coordinating council established in subsection (b) and provide suitable meeting space and such clerical and other assistance as the director and the council may deem necessary.
(b) There shall be a coordinating council on the underground economy. The council shall coordinate joint efforts to combat the underground economy and employee misclassification, including efforts to: (i) foster compliance with the law by educating business owners and employees about applicable requirements; (ii) conduct joint, targeted investigations and enforcement actions against violators; (iii) protect the health, safety and benefit rights of workers; and (iv) restore competitive equality for law-abiding businesses.
(c) The council shall consist of the following members or their designees: the secretary of labor and workforce development, who shall serve as the chair, the director of the department of unemployment assistance, the director of the department of industrial accidents, the director of labor standards, the commissioner of revenue, the chief of the attorney general's fair labor division, the commissioner of the department of public safety, the director of the division of professional licensure, the commissioner of the division of capital asset management and maintenance, the chairman of the alcoholic beverages control commission, the chairman of the Massachusetts commission against discrimination, the commissioner of the division of banks, the executive director of the Massachusetts office of refugees and immigrants, the executive director of the office of small business and entrepreneurship, the executive director of the supplier diversity office and the executive director of the insurance fraud bureau. Additional members may be added at the discretion of the director of the department of labor standards.
(d) The council shall:
(1) facilitate timely information sharing between and among council members, including through the establishment of protocols by which participating agencies will advise or refer to other agencies matters of potential investigative interest;
(2) identify those industries and sectors where the underground economy and employee misclassification are most prevalent and target council members' investigative and enforcement resources against those sectors, including through the formation of joint investigative and enforcement teams;
(3) assess existing investigative and enforcement methods, both in the commonwealth and in other jurisdictions, and develop and recommend strategies to improve those methods;
(4) encourage businesses and individuals to identify violators by soliciting information from the public, facilitating the filing of complaints and enhancing the available mechanisms by which workers can report suspected violations;
(5) solicit the cooperation and participation of district attorneys and other relevant enforcement agencies, including the insurance fraud bureau, and establish procedures for referring cases to prosecuting authorities as appropriate;
(6) work cooperatively with employers, labor and community groups to diminish the size of the underground economy and reduce the number of employee misclassifications by, among other means, disseminating educational materials regarding the applicable laws, including the legal distinctions between independent contractors and employees and increasing public awareness of the harm caused by the underground economy and employee misclassification;
(7) work cooperatively with federal, state and local social services agencies to provide assistance to vulnerable populations that have been exploited by the underground economy and employee misclassification, including, but not limited, to immigrant workers;
(8) identify potential regulatory or statutory changes that would strengthen enforcement efforts, including any changes needed to resolve existing legal ambiguities or inconsistencies, as well as potential legal procedures for facilitating individual enforcement efforts; and
(9) consult with representatives of business and organized labor, members of the general court, community groups and

other agencies to discuss the activities of the council and its members and ways of improving its effectiveness.
(e) The department of labor standards shall transmit an annual report to the governor summarizing the council's activities during the preceding year. The report shall, without limitation: (i) describe the council's efforts and accomplishments during the year; (ii) identify any administrative or legal barriers impeding the more effective operation of the council, including any barriers to information sharing or joint action; (iii) propose, after consultation with representatives of business and organized labor, members of the legislature and other agencies, appropriate administrative, legislative or regulatory changes to strengthen the council's operations and enforcement efforts and reduce or eliminate any barriers to those efforts; and (iv) identify successful preventative mechanisms for reducing the extent of the underground economy and employee misclassification, thereby reducing the need for greater enforcement. The council shall also take appropriate steps to publicize its activities.
(f) Notwithstanding any law to the contrary, every agency within the executive branch shall make all reasonable efforts to cooperate with the division and the council and to furnish such information and assistance as the division and council reasonably deem necessary to accomplish its purposes.
(B) Section 21 of chapter 62C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 158 to 160, inclusive, the words 'Joint Enforcement Task Force on the Underground Economy and Employee Misclassification, established by Executive Order 499,' and inserting in place thereof the following words:- coordinating council on the underground economy and the underground economy division, established by section 25 of chapter 23."
The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided that not less than $100,000 shall be expended for the Topsfield Town Hall"; and by striking out the figures "$10,933,979" and inserting in place thereof the figures "$11,033,979".
The amendment was *rejected*.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 7008-0900, "provided further, that not less than $ 50,000 shall be expended for the 350th anniversary of the town of Dartmouth".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided further, that no less than $100,000 shall be proved to the Gran Army of the Republic Historical Museum in Lynn".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "provided that no less than $125,000 shall be expended for safety upgrades and repairs along Route 129 on the Lynn border in the town of Swampscott".
The amendment was *rejected*.

Ms. Donoghue, Ms. Spilka and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7007-0150, by striking out the figure "$850,000" and inserting in place thereof the following figure:- "$1,500,000".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 2511-0100, by inserting after the phrase "buy local effort" the following phrase:- ", including local seafood,".
The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following: "provided further, that not less than $50,000 shall be expended for athletic field improvements in the town of Millis".
The amendment was *rejected*.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended in section 2, in item 7004-0102, by inserting at the end thereof the following:- "provided further that the department of housing and community development shall provide a report by December 31, 2014 assessing the effectiveness of the HomeBASE program and provide a comprehensive plan to reduce the number of persons needing housing services and household assistance from being placed in hotels and motels".
The amendment was *rejected*.

Messrs. Humason and Pacheco, Ms. Candaras and Messrs. Tarr, Ross and Joyce moved that the proposed new text be amended in section 2, in item 7007-0801:
"7007-0801 For microlending grants of up to $100,000 to be issued to established Community Development Financial Institutions and Community Advantage Lenders making direct microenterprise and small business loans to borrowers on

a regional basis, as well as providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds shall be used to support the eligible organization's lending and technical assistance activities……..… $200,000".
The amendment was *rejected*.

Messrs. Wolf, Rodrigues, Donnelly and Hedlund, Ms. Candaras, Mr. DiDomenico, Ms. Spilka, Mr. Michael O. Moore, Ms. Jehlen, Ms. O'Connor Ives, Messrs. Finegold and Joyce, Ms. Forry, Ms. Chang-Diaz, Mr. Downing, Ms. Donoghue and Messrs. Kennedy and Humason moved that the proposed new text be amended in section 2, in item 7004-3036, by striking out the figure "$2,391,992" and inserting in place thereof the figure "$2,641,992".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, in item 7008-0900, "provided further that not less than $100,000 shall be expended for the restoration of the Victory Theatre in Holyoke;".
The amendment was *rejected*.

Messrs. Wolf and Michael O. Moore, Ms. Creem and Messrs. Brownsberger, Welch and DiDomenico moved that the proposed new text be amended in section 2, in item 7003-1206, by striking out the figure "$750,000" and inserting in place thereof the following figure:- "$900,000".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 0610-0010, by inserting after "commonwealth" the following:- "; provided further that no less than $200,000 shall be expended on the Moving from Debts to Assets financial literacy program, which will deliver comprehensive, outcomes-driven adult financial education in under-served, low-income communities; provided further, the program shall track the outcomes of individuals served for at least one year after successful completion of the program and report their findings to the Office of the Treasurer and Receiver General; the Joint Committee on Children, Families and Persons with Disabilities and the Senate and House Committee on Ways and Means"; and by striking out the figures "$100,000" and inserting in place thereof the figures "300,000".
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting at the end thereof the following:- "and provided further, that not less than $50,000 shall be expended to the historic West Medford Community Center".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following, "provided further, that not less than $15,000 shall be expended for Westfield on Weekends, Inc.;".
The amendment was *rejected*.

Messrs. Humason, Tarr and Ross moved that the proposed new text be amended in section 2, in item 7002-0020, by striking all of the section and replacing with the following:- "7002-0020 For a precision manufacturing pilot program that provides training to unemployed and underemployed individuals, including veterans; provided, that the program shall be administered by the executive office of housing and economic development
…….. $2,000,000".
The amendment was *rejected*.

Messrs. Humason and Rosenberg moved the proposed new text be amended in section 2, in item 7004-0099, by adding at the end thereof the following, "provided further, that not less than $75,000 shall be expended for World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee, and Greenfield;".
The amendment was *rejected*.

Messrs. Eldridge and Lewis moved that the proposed new text be amended in section 2, in item 7004-9005, by inserting after the word "repairs" the following:- "provided, further, that not less than $2,000,000 shall be provided for resident services to be included in the budgets of housing authorities for vocational, educational and related support services such as career counselling; vocational training programs, adult basic educational programs, child care, literacy programs, computer centers, technology classes, health, nutrition and recreational programs, case management and geriatric support, pre apprentice training, and other locally determined service priorities; provided further that in implementing said resident services, said housing authorities shall consult with public housing residents, social service providers, and local human resource and educational agencies"; and by striking out the figures "$64,000,000" and inserting in place thereof the figures "$66,000,000".
The amendment was *rejected*.

Ms. Jehlen, Ms. Creem and Ms. Forry moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting at the end thereof the following:- "provided that no less than $50,000 be granted to the Independent Film Society of Boston for the purposes of enhancing cultural tourism in the Commonwealth".
The amendment was *rejected*.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 7008-0900, by adding at the end thereof the following:- "; provided further that not less than $10,000 shall be expended for the Millville centennial celebration"; and by striking the figures "$10,933,979" and inserting in place thereof the figures "$10,943,979".
The amendment was *rejected*.

Mr. Richard T. Moore, Ms. Lovely, Ms. O'Connor Ives and Messrs. Eldridge, Tarr and McGee moved that the proposed new text be amended in section 2, by inserting after item 7008-1300, the following item:-
"7008-xxxx For the continued support of the commonwealth's National Heritage Areas, as identified in Chapter 272 of the Acts of 2010; provided that funds shall be distributed to each of the heritage areas and may be expended for operational purposes or serve as matching funds in the pursuit or maintenance of federal grants.....$500,000".
The amendment was *rejected*.

Messrs. Humason, Tarr and Ross moved that the proposed new text be amended in section 2E, by inserting at the end thereof the following section:-
"SECTION XX: Section 1 of Chapter 151 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end of the first paragraph the following:-
This section shall not apply to workers under the age of eighteen for their first 90 consecutive days of employment. A wage which is lower than the minimum wage by more than 20%, in any occupation, shall conclusively be presumed to be oppressive and unreasonable, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine. Provided further that any wage lower than $8.00 per hour shall conclusively be presumed to be oppressive and unreasonable, unless the commissioner has expressly approved or shall expressly approve the establishment and payment of a lesser wage under the provisions of sections seven and nine."
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section __, the following sections:-
"SECTION __. Chapter 29 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following section:-
Section __. There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Living Wage Empowerment Fund, hereinafter called the fund. The fund shall be administered by the commissioner of revenue. Amounts credited to the fund shall be expended, without further appropriation, to taxpayers who receive a tax credit under section 6(h) of chapter 62 and have 1 or more qualifying dependent children.
The commissioner shall provide taxpayers with 1 or more qualifying dependent children 20 per cent of the amount said person qualified for, claimed, and received under section 6(h) of chapter 62.
The department of revenue shall be the administrator of the fund and shall maintain the fund as a separate fund and shall cause it to be audited by an independent accountant on an annual basis in accordance with generally-accepted accounting principles.
There shall be credited to the fund any revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund, and any gifts, grants, private contributions, investment income earned on the fund's assets and all other sources, including federal funds for the temporary assistance to needy families program. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.
The fund shall supplement and not replace existing credits received under section 6(h) of chapter 62."
The amendment was *rejected*.

Ms. Spilka, Messrs. Ross, Eldridge, Michael O. Moore, DiDomenico and Joyce and Ms. Forry moved that the proposed new text be amended in section 2E, in item 1595-7066, by striking the figure "$500,000" and inserting in place thereof the following figure:- "$1,500,000".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, by inserting after item 7061-9010, the following item:
"7061-9011 Innovation Schools - For competitive grants to school districts for the planning, implementation and enhancement of Innovation Schools, under in section 92 of chapter 71 of the General Laws, and for targeted, locally developed, site-based innovation and intervention in all schools as provided below; provided, that in the case of planning grants, applications shall have received approval of the Innovation School prospectus from the screening committee; provided further, that in the case of implementation grants, the applicant shall have received final approval of the Innovation School from the local school committee; provided further, that Innovation Schools looking to enhance their Innovation School plans shall have demonstrated that the program is meeting the school's measureable annual goals and

has a compelling plan for enhancing their Innovation School plan; provided further, that priority shall be given to schools proposed in level 3 and 4 districts; provided further, that up to $500,000 may be expended for innovation school activity focused on extending learning time in eligible schools; provided further, that preference shall be given to schools which provide a coherent plan to use extended time to ensure a robust and balanced curriculum of literacy and literature, numeracy, STEM, civics education, and humanities and the arts, and alternative education for students for whom such education will prevent dropout or truancy status; provided further, that up to $1,275,000 may be expended on planning or implementation grants for schools to develop and carry out voluntary and locally driven school site-level intervention and redesign carried out in collaboration with the teachers, faculty and parents of the school; provided further, that preference in the awarding of those grants shall be given to plans with approval from the local union, school administrators and school committee, and for schools currently undertaking such redesign with federal funds that will be expended and liquidated in fiscal years 2015 and 2016 for which the grants will provide consistency and continuity of reform efforts; provided further, that, in awarding the grants, the department shall also ensure consistency and alignment with any similar efforts being proposed or funded through item 7061-9408 and other redesign and turnaround efforts at the department; and provided further, that up to $225,000 may be expended through June 30, 2016 on innovation fellowships in sponsoring school districts that will participate in an in-depth, year-long planning process which shall include, but not be limited to, a comprehensive review and analysis of the department's District Standards and Indicators, Conditions for School Effectiveness and other priorities of the department……$2,000,000".
The amendment was *rejected*.

Mr. Tarr, Ms. Donoghue and Mr. Ross moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION__. Chapter 69 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 1O the following section:-
Section 1P. To equip students with the knowledge and skills needed to become self-supporting and to enable students to make critical decisions regarding personal finances, the department of elementary and secondary education shall authorize and assist in the implementation of standards and objectives on personal financial literacy. The components of personal financial literacy covered in the standards and objectives shall include: understanding loans, borrowing money, interest, credit card debt, and online commerce; rights and responsibilities of renting or buying a home; saving, investing and planning for retirement; banking and financial services; balancing a checkbook; state and federal taxes; and charitable giving.
The department shall develop standards and objectives on personal financial literacy, for grades pre-kindergarten to 12, inclusive, within the existing mathematics curriculum for implementation by the start of the 2015-2016 school year. The department shall make available to school districts, charter schools, approved private day or residential schools, and collaborative schools a list of resources to aid in the selection of materials and curriculum on personal financial literacy. The department shall identify and offer information on cost-effective methods for fulfilling the professional development activities needed to implement said standards and objectives. The department may consult with private, nonprofit, or other government institutions in order to identify and offer said information. The department may apply for any federal, state, or other funding, including funding available through the Financial Literacy Trust Fund, as established by Chapter 10 of the General Laws, as amended by Chapter 14 of the Acts of 2011.
SECTION__. Notwithstanding any general or special law to the contrary, the advisory committee established under Section 200(b) of Chapter 139 of the Acts of 2012 shall also conduct a study on additional current programs on financial literacy being offered in the Commonwealth for grades pre-kindergarten to 12, inclusive, and the cost, to individual schools and school districts, of offering said programs. The advisory committee shall submit the results of this study to the clerks of the senate and the house who shall forward the same to the chairs of the joint committee on education on or before August 31, 2014.
In consultation with the department, the advisory committee shall also advise and oversee the development and implementation of standards and objectives on personal financial literacy. After the submission of the report regarding all financial literacy programs in the Commonwealth on or before August 31, 2014, the advisory committee shall submit a report on best practices and recommended improvements annually thereafter for three subsequent years to the clerks of the senate and the house who shall forward the same to the chairs of the joint committee on education on or before December 31. The advisory committee shall consult with individuals with relevant experiences including representatives from insurance and investment firms, real estate firms, and bankruptcy attorneys."
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Salem State University shall study, in consultation with the department of elementary and secondary education, local educational authorities and private educational providers, the delivery of special education services in the commonwealth pursuant to chapter 71B of the General Laws and all applicable federal laws, including the Individuals with Disabilities Educational Act of 1990.
Said study shall include a comprehensive evaluation of existing and potential models for providing special education, and the associated costs and benefits, including but not limited to the costs of personnel compensation, transportation, housing

and assistive technologies. Said study shall also seek to identify means by which services and instruction may be provided in a proactive manner, without the requirement or need for an individual education plan, but so as to maximize learning progress in local educational settings.
Said study, together with any legislative recommendations, shall be filed with the joint committee on education and the clerks of the senate and the house of representatives not later than May 1, 2015."
The amendment was *rejected*.

Ms. Spilka and Mr. Ross moved that the proposed new text be amended in section 2, in item 7009-6390, by adding at the end thereof the following:- "provided that the town of Franklin receives not less than $60,000 for the installation and operation of solar powered school zone safety lights"; and by striking out the figure "$200,000" and inserting in place thereof the figure:- "$260,000".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 7009-6407, by adding at the end thereof the following:- "provided that $75,000 be expended to improve science and technology awareness in middle school and late elementary students through the Science from Scientists program, so-called;"; and by striking out the figure "250,000" and inserting in place thereof the figure "325,000".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 7061-9408, by inserting the following:- "; provided further, that $500,000 shall be expended for a Randolph pilot program to increase literacy and to address poor performance amongst low-income and minority students".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, by inserting after item 7112-0100, the following item:
"XXXX-XXXX For the Christa McAuliffe Challenger Learning Center at Framingham State University ..... $200,000".
The amendment was *rejected*.

Messrs. Joyce and Michael O. Moore moved that the proposed new text be amended in section 2, in item 7030-1002, by striking the words "; provided, that continuation grants funded through this appropriation shall not exceed 75 per cent of the per classroom awards in fiscal year 2014"; and by striking the figure "$20,000,000" and inserting in place thereof the figure:- "$27,048,947".
The amendment was *rejected*.

Messrs. Downing and Rodrigues, Ms. Donoghue, Ms. Candaras and Messrs. DiDomenico, Kennedy, McGee, Montigny and Finegold moved that the proposed new text be amended in section 2, by inserting after line 7009-6400, the following item:-
"7009-6402 For grants to support the establishment of career academies in Gateway Cities, and to build stronger relationships and partnerships among high schools, institutions of higher education, local employers, and workforce development entities, in order to create multiple and seamless pathways to employment; provided, that such funds shall be used to establish Education and Industry Coordinating Councils; provided further, that the EICCs shall be chaired by the district superintendent and chair of the local workforce investment boards, and shall include representatives from district high schools, institutions of higher education, industry partners, and local/regional employers; provided further, that such funding shall be used to engage in planning to establish career academies or to plan for the establishment of such academies during the following fiscal year…… $500,000".
The amendment was *rejected*.

Mr. Finegold, Ms. Chang-Diaz, Messrs. Michael O. Moore and Eldridge, Ms. Forry, Mr. DiDomenico, Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended in section 2, in item 3000-5075, by striking out the figure "$6,500,000" and inserting in place thereof the following figure:- "$7,500,000".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 7028-0031, by striking the figure "$7,874,567" and inserting in place thereof the figure:- "$8,019,607".
The amendment was *rejected*.

Mr. Finegold moved that the proposed new text be amended in section 2, in item 7061-0012, by adding at the end thereof the following:- "provided that not less than $25,000 shall be expended for the continued operation of Camp Pohelo serving children with special needs in the town of Tewksbury"; and by striking out the figure "$260,395,342" and inserting in place thereof the following figure:- "$260,420,342".
The amendment was *rejected*.

Mr. Finegold moved that the proposed new text be amended in section 2, in item 7010-0033, by adding at the end thereof the following:- "provided that not less than $20,000 shall be expended for the operation of a school library pilot program in the town of Tewksbury;" and by striking out the figure $2,300,000 and inserting in place thereof the following figure:- "$2,320,000".
The amendment was *rejected*.

Mr. Michael O. Moore, Ms. Donoghue, Ms. Lovely and Mr. Downing moved that the proposed new text be amended in section 2, in item 7066-0019, by striking out the figure "$750,000" and inserting in place thereof the figure:- "$2,000,000".
The amendment was *rejected*.

Messrs. Michael O. Moore and DiDomenico and Ms. Forry moved that the proposed new text be amended in section 2, in item 3000-3050 by adding at the end thereof the following: "provided further, that $10,000,000 be expended for a rate adjustment for children in the department of children and families caseload being provided supportive early education and care services in order to provide transportation and caseload management for said children"; and by striking the figures "$80,566,429 and inserting in place thereof the figures "$90,566,429".
The amendment was *rejected*.

Mr. Finegold moved that the proposed new text be amended in section 2, in item 7053-1925, by inserting after the words "school vacation period" the following:- "provided that $25,000 more than the amount expended in fiscal year 2014 shall be expended for a grant with Project Bread – The Walk for Hunger, Inc. to enhance and expand the summer food service outreach program and the school breakfast outreach program"; and by striking out the figure "$4,121,215" and inserting in place thereof the figure:- "$4,146,215".
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7066-0000, by adding at the end thereof the following: "provided further, that $500,000 shall be made available for a state university study abroad scholarship incentive program to be known as the Globally Competitive Workforce Matching Scholarship Program; provided further, that this scholarship program shall support need-based assistance to in-state students engaged in the equivalent of a semester of credit-bearing academic study; provide further, the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institutions study abroad scholarship program; provider further, that the commonwealth's contribution shall be equal to $1 for every $1 privately contributed to each university's board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be no greater than $500,000; provided further, that funds from this program shall not result in direct or indirect reduction in the commonwealth's appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for said program"; and by striking out the figures "$2,249,334" and inserting in place thereof the figures "$2,749,334".
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, The Department of Elementary and Secondary Education (DESE), herein known as the department, shall expend no funds to develop or implement the Partnership for Assessment of Readiness for College and Careers (PARCC) assessment, and no school district shall be required to implement or adopt the assessment."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7066-0020, by striking out the figure "$200,000" and inserting in place thereof the following figure:- "$400,000".
The amendment was *rejected*.

Messrs. Michael O. Moore and Welch moved that the proposed new text be amended in section 2, in item 7066-0000, by adding at the end thereof the following: "provided further, that not less than $350,000 shall be made available to provide financial assistance for Massachusetts residents enrolled at public higher education institutions to participate in the Washington Center-Massachusetts Initiative Academic Internship program"; and by striking out the figures "$2,249,334" and inserting in place thereof the following figures "$2,599,334".
The amendment was *rejected*.

Mr. Michael O. Moore, Ms. Donoghue, Ms. Candaras, Mr. Wolf, Ms. Lovely and Mr. Kennedy moved that the proposed new text be amended in section 2, by inserting after item 7066-0009 the following item:
"7066-0015 For the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws…… $1,450,000".
The amendment was *rejected*.

Mr. Michael O. Moore, Ms. Donoghue, Ms. Candaras and Ms. Lovely moved that the proposed new text be amended in section 2, by inserting after item 7066-0024, the following item:-
"7066-0025 For the Performance Management Set Aside incentive program for the University of Massachusetts, the state universities and the community colleges; provided, that these funds shall be distributed by the commissioner of higher education to public institutions of higher education through a competitive grant process based on priorities determined by the department of higher education in pursuit of operational efficiency and goals articulated in the commonwealth's Vision Project; provided further, that priorities may include support of workforce programs that train students for high-quality employment and outreach programs that work to engage surrounding communities with high-quality educational programs; provided further, that in fiscal year 2015, funds shall be used to support initiatives in the community colleges to promote higher completion rates of degree and certificate programs, promote the adoption of a standard core of course offering and numbering that are honored for common credit toward degrees and certificates across the commonwealth's community colleges, state universities and University of Massachusetts campuses and promote consolidation and coordination of the administration function and procurements across the community colleges; provided further, that the department of higher education shall file a report with the house and senate committees on ways and means no later than January 28, 2015, detailing campuses receiving funds through this item and the criteria used to award funds; and provided further, that for the purposes of this item, appropriated funds may be expended through August 31, 2015.....$7,500,000".
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting after the word "education" the following: "; provided further, that the department shall allocate $85,414 to the Hull Public Schools for a school resource officer and combined school and police professional development to ensure the public safety of students, faculty, staff, administrators and visitors."; and by striking out the figures "$13,150,714" and inserting in place thereof the figures "$13,236,128".
The amendment was *rejected*.

Ms. Creem and Mr. Tarr moved that the proposed new text be amended by inserting after section 52, the following new section: -
"SECTION 52A. The fourth sentence of subsection (a) of section 5A of chapter 71B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the word 'not' and said section is further amended by striking, in lines 26 and 27, the following words: - 'transportation costs'."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended in section 2, in item 7061-0011, by adding at the end thereof the following: "provided further, that not less than $ 3,000,000 shall be expended for communities that (i) have been adversely affected by the closure of a charter school; (ii) who have experienced unanticipated fiscal challenges; (iii) experience foundation enrollment growth of greater than 200 pupils from fiscal year 2014 to fiscal year 2015; and (iv) whose chapter 70 as a percentage of total foundation budget is less than the district's target aid percentage"; and by striking out the figure "2,000,000" and inserting in place thereof the figure "5,000,000".
The amendment was *rejected*.

Messrs. Hedlund, Tarr and Ross moved that the proposed new text be amended as follows:
"Section XX. Section 38Q of Chapter 71 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following paragraph: "Notwithstanding any general or special law to the contrary, public school educators shall be eligible to participate in state funded Sheltered English Immersion (SEI) training regardless of the number of English Language Learners (ELLs) enrolled in their school district at the time of said training."
The amendment was *rejected*.

Messrs. Petruccelli and DiDomenico moved that the proposed new text be amended in section 2, in item 7061-9404, by inserting after the words "during the summer months;" the following:- "provided further, JFY Networks shall receive not less than the amount appropriated in line item 7061-9404 of section 2 of chapter 139 of the acts of 2012;"; and by striking the figures "$5,794,804" and inserting in place thereof the figures "$5,994,804".
The amendment was *rejected*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting at the end thereof the following words:- "and provided further, that not less than $60,000 shall be used for implementation of dropout prevention and recovery legislation signed by the governor during fiscal year 2014 or 2015; and provided further, that if said legislation is not signed by the governor, $60,000 shall be used for ongoing dropout prevention and recovery efforts by the department"; and by striking out the figure "$13,150,714" and inserting in place thereof the following figure:- "$13,210,714".
The amendment was *rejected*.

Messrs. Wolf and Brownsberger, Ms. Creem and Mr. McGee moved that the proposed new text be amended in section 2, in item 7504-0100, by adding the following at the end thereof: "provided further, that an additional amount not less than $500,000 be administered by Cape Cod Community College and be allocated to Silent Spring Institute to study environmental contaminants and any and all findings shall be reported to all communities involved and the Cape Cod Commission to inform and be included in the Barnstable County Regional Wastewater Management Plan"; and by striking out the figure "$11,014,636" and inserting in place thereof the figure "$11,514,636".
The amendment was *rejected*.

Ms. Chang-Diaz and Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 7061-9614, by striking out the figure "$146,140" and inserting in place thereof the following figure:- "$4,783,360".
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. O'Connor Ives and Ms. Forry moved that the proposed new text be amended in section 2, by adding after item 7009-6400, the following:-
"7009-6406 For competitive grants to cities, towns, regional school districts, and institutions of public higher education for the establishment and implementation of early college high school programs; provided, that these programs shall support students who work simultaneously on the completion of a high school diploma from the partnering school district while also earning free college credits towards an associate degree or certificate at the partnering institution of higher education; provided further, that these programs must provide full access to college support services, student activities and tutoring, and shall ensure holistic wrap-around support which meets the academic, social and emotional needs of the student; provided further, that, in awarding these grants, preference shall be given to innovative joint proposals, developed by partnering school districts, colleges, and local and regional non-profits where appropriate; and provided further, that these grants shall be awarded, as much as is feasible, in a manner that reflects geographic and demographic diversity…… $750,000".
The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Clause (1) under the definition for 'Total facilities grant' included in section 2 of chapter 70B of the General Laws , as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'approved.', in line 102, the following sentence: - An additional 10 percentage reimbursement rate shall be added to a total facilities grant for academic regional school districts, and an additional 20 percent reimbursement rate shall be added to a total facilities grant for a regional vocational technical school district."
The amendment was *rejected*.

Messrs. DiDomenico, Eldridge and Downing, Ms. Donoghue, Ms. Lovely, Messrs. McGee and Kennedy and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, by inserting after item 7077-0023, the following item:-
"7100-4000 For funding to community college campuses in the Commonwealth; provided, that funds shall be expended for the continued implementation of community college reform, for continued initiatives to strengthen the connections between the colleges, local businesses and regional workforce investment boards, and to improve workforce training at the colleges; provided further, that funding shall be allocated among the campuses using the formula developed by the commissioner of higher education in consultation with the secretaries of education, labor and workforce development, and housing and economic development; provided further, that the allocation of funds shall be approved by the board of higher education; provided further, that in developing the allocation among campuses, the commissioner shall ensure that no campus receives less in fiscal year 2015 than in fiscal year 2014; and provided further, not less than the following amounts shall be made available to the respective institutions named herein: (a) $1,008,970 to Berkshire Community College; (b) $2,071,161 to Bristol Community College; (c) $3,438,541 to Bunker Hill Community College; (d) $740,506 to Cape Cod Community College; (e) $447,823 to Greenfield Community College; (f) $858,067 to Holyoke Community College; (g) $1,125,433 to Massachusetts Bay Community College; (h) $899,216 to Massasoit Community College; (i) $2,250,859 to Middlesex Community College; (j) $1,277,655 to Mount Wachusett Community College; (k) $912,348 to North Shore Community College; (l) $843,817 to Northern Essex Community College; (m) $2,531,715 to Quinsigamond Community College; (n) $503,494 to Roxbury Community College; and (o) $1,090,393 to Springfield Technical Community College…$20,000,000".
The amendment was *rejected*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7030-1002, by striking out the figure "20,000,000" and inserting in place thereof the following figure:- "$27,048,947".
The amendment was *rejected*.

Mr. DiDomenico, Ms. Donoghue, Ms. Lovely and Mr. Kennedy moved that the proposed new text be amended in section 2, by inserting after item 7509-0100, the following item:-
"7509-0115 For statewide collaboration and efficiency initiatives administered by Mount Wachusett Community

College…….… $250,000".
The amendment was *rejected*.

Ms. Donoghue, Ms. Chandler, Messrs. DiDomenico and Donnelly, Ms. Forry, Mr. Lewis, Ms. Lovely, Messrs. Michael O. Moore, Rodrigues, Brownsberger, Finegold, Montigny, Eldridge, Kennedy and McGee and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 7061-9626, by striking out the figure "$1,750,000" and inserting in place thereof the following figure:- "$3,500,000".
The amendment was *rejected*.

Ms. Forry and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7061-9011, by striking out:- "For competitive grants to school districts for the planning, implementation and enhancement of Innovation Schools, as defined in section 92 of chapter 71 of the General Laws; provided, that in the case of planning grants, applications shall have received approval of the Innovation School prospectus from the screening committee; provided further, that in the case of implementation grants, the applicant shall have received final approval of the Innovation School from the local school committee; provided further, that Innovation Schools seeking to enhance their Innovation School plans shall have demonstrated that the program is meeting the school's measureable annual goals and has a compelling plan for enhancing their Innovation School plan; and provided further, that priority shall be given to schools proposed in level 3 and level 4 districts…$1,000,000" and inserting in place thereof :- "For competitive grants to school districts for the planning, implementation and enhancement of Innovation Schools, under section 92 of chapter 71 of the General Laws, and for targeted, locally developed, site-based innovation and intervention in Level 3 schools as provided below; provided, that in the case of planning grants, applications shall have received approval of the Innovation School prospectus from the screening committee; provided further, that in the case of implementation grants, the applicant shall have received final approval of the Innovation School from the local school committee; provided further, that Innovation Schools looking to enhance their Innovation School plans shall have demonstrated that the program is meeting the school's measureable annual goals and has a compelling plan for enhancing their Innovation School plan; provided further, that priority shall be given to schools proposed in level 3 and 4 districts; provided further, that up to $500,000 may be expended for innovation school activity focused on extending learning time in eligible schools; provided further, that preference shall be given to schools which provide a coherent plan to use extended time to ensure a robust and balanced curriculum of literacy and literature, numeracy, STEM, civics education, and humanities and the arts, and alternative education for students for whom such education will prevent dropout or truancy status; provided further, that up to $3,100,000 may be expended on planning or implementation grants for Level 3 schools, so-called, to develop and carry out voluntary and locally driven school site-level intervention and redesign carried out in collaboration with the teachers, faculty and parents of the school; provided further, that preference in the awarding of those grants shall be given to plans with approval from the local union, school administrators and school committee, and for schools currently undertaking such redesign with federal funds that will be expended and liquidated in fiscal years 2015 and 2016 for which the grants will provide consistency and continuity of reform efforts; provided further, that, in awarding the grants, the department shall also ensure consistency and alignment with any similar efforts being proposed or funded through item 7061-9408 and other redesign and turnaround efforts at the department; and provided further, that up to $225,000 may be expended through June 30, 2016 on innovation fellowships in sponsoring school districts that will participate in an in-depth, year-long planning process which shall include, but not be limited to, a comprehensive review and analysis of the department's District Standards and Indicators, Conditions for School Effectiveness and other priorities of the department… $4,604,123".
The amendment was *rejected*.

Messrs. Petruccelli and McGee moved that the proposed new text be amended in section 2, in item 7061-9611, by striking out the figure "$1,410,000" and inserting in place thereof the following figure:- "$1,710,000".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7061-9611, by inserting after the word "partnerships" the following words:- "; provided further, that not less than $550,000 shall be expended to the Youth Social Education Training Program (YSET) to provide before and after school, preschool and job training programs where youth ages 2 to 18 can engage in fun and fruitful assignments and or projects to enhance achievements"; by striking out the figure $1,410,000 and inserting in place thereof $1,960,000".
The amendment was *rejected*.

Ms. Spilka, Mr. Eldridge, Ms. Forry, Messrs. Montigny and Kennedy and Ms. Creem moved that the proposed new text be amended in section 2, in item 7061-0012, , by adding at the end thereof the following:- "provided further, that not less than $100,000 shall be expended for peer-to-peer inclusion programs for students with intellectual disabilities through Best Buddies Massachusetts".
The amendment was *rejected*.

Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section __, the following new section:-

"SECTION XX. Section 1B of chapter 69 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, after the words, 'such attendance.' in line 114, the following words:- Provided, however, that the minimum age for such attendance is no greater than five years of age."
The amendment was *rejected*.

Ms. Forry and Messrs. Montigny and Kennedy moved that the proposed new text be amended in section 2, in item 0710-0200, by inserting at the end:- "provided further that no less than $200,000 be allocated for the Clemente Course in the Humanities, administered by the Massachusetts Foundation for the Humanities in partnership with the University of Massachusetts Dartmouth and local service agencies, which provides college-level humanities instruction and support services free of charge and for college credit to low income adults; provided that the funds shall be contingent upon a match of not less than $1 in federal contributions or $1 in private or corporate contributions for every $1 in state grant funding; provided further that all contributions be invested in a permanent endowment for the benefit of the Clemente Course in the Humanities and other humanities programs designed for low income communities in Massachusetts".
The amendment was *rejected*.

Mr. Lewis moved that the proposed new text be amended in section 2, by inserting the following new section:-
"SECTION X.
Chapter 40 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after section 13C the following section:
Section 13D. Any school district which accepts the provisions of this section by majority vote of the school committee and acceptance by a majority vote of the legislative body or, in the case of a regional school district acceptance by majority vote of the legislative bodies in a majority of the member communities of the district may establish, and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal year or years, to pay, without further appropriation, for unanticipated and/or unbudgeted costs of special education out of school district tuition and/or transportation. The balance in such separate stabilization fund shall not exceed 2% of the annual net school spending of the school district. The district treasurer may invest the monies in the manner authorized by Section 54 of Chapter 44, and any interest earned thereon shall be credited to and become part of the fund. In the case of Regional School Districts, funds may be added to the special education stabilization fund only be appropriation in the annual budget voted at annual town meetings of member towns."
The amendment was *rejected*.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended in section 2, in item 7027-0019, by inserting at the end thereof the following:- "; provided further that the program shall include a grant program for businesses to partner with community colleges and high schools to develop workforce skills training curricula".
The amendment was *rejected*.

Messrs. DiDomenico, Lewis and Wolf, Ms. Jehlen, Messrs. Eldridge, Rush and Michael O. Moore, Ms. Creem, Mr. Brownsberger, Ms. Forry, Messrs. Joyce, Keenan and McGee, Ms. Donoghue and Mr. Barrett moved that the proposed new text be amended in section 2, by inserting after item 7061-9611, the following item:
"7061-9612 For the safe and supportive schools grant program established by the department of elementary and secondary education to pilot and share an effective process for school and district teams to develop and implement safe and supportive school–wide action plans; provided that said action plans shall be based on all elements of the framework and self-assessment tool created pursuant to section 19 of chapter 321 of the acts of 2008 and described in the final report of the behavioral health and public schools task force; provided that the districts shall create district plans that support the recipient schools; provided that the department shall establish and regularly convene an advisory committee composed of individuals who were members of the behavioral health and public schools task force, parents, students, individuals with school experience in implementing the framework, and others to advise the department and assist in updating the framework and assessment tool in collaboration with the grantee schools; provided further that no less than $65,000 shall be used by the department to hold state and regional conferences and administer the grant program, including providing technical assistance to schools, collecting data from the self-assessment tool, and maintaining and updating the department's website to disseminate information about the framework updates and implementation, model protocols, and other information about best practices for creating safe and supportive school-wide cultures……. $350,000".
The amendment was *rejected*.

Mr. DiDomenico and Ms. Forry moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting after "education" the following: "provided further, that not less than $250,000 shall be distributed by the department of elementary and secondary education to public schools with students in grade 7 or higher in a municipality with an annual birth rate to women ages 13 to 19, inclusive, greater than 15 births per 1,000 through a competitive grant process established in Section XXXX; and provided further, that not less than $100,000 shall be expended for administrative support staff or services of any kind for a competitive grant process established in Section XXXX"; and by striking out the figures "$13,150,714" and inserting in place thereof the figures "$13,400,714".
The amendment was *rejected*.

Mr. DiDomenico and Ms. Forry moved that the proposed new text be amended by adding the following section:
"SECTION XXXX. Chapter 76 of the General Laws is hereby amended by inserting after section 21 the following section:-
For a competitively bid statewide grant pilot administered by the department of elementary and secondary education for the implementation of an expectant and parenting student liaison modeled after an evidence-based program at Chelsea High School shall be made available for a public school district with students in grade 7 or higher in a municipality with an annual birth rate to women ages 13 to 19, inclusive, greater than 15 births per 1,000.
Each school shall post on its website the name and contact information of its expectant and parenting student liaison. The duties of the expectant and parenting student liaison may be in addition to other duties the liaison may have.
Notwithstanding any general or special law to the contrary, the expectant and parenting student liaison shall have access to the school records necessary for the liaison to assist the expectant or parenting student with the development of a plan for the student to graduate from high school.
The department of public health shall calculate the annual birth rate and annual total number of births to women ages 13 to 19, inclusive, of each municipality. No later than July 31, 2014, the department of public health shall notify the department of its findings. No later than August 15, 2014, the department shall notify those school districts whose annual birth rate or annual total number of births to women ages 13 to 19, inclusive, may apply for the competitive grant to implement the designation of an expectant and parenting student liaison in the 2015-2016 school year.
Each expectant and parenting student liaison shall, in close consultation with an expectant or parenting student, create an individualized plan for graduation that (i) is designed to ensure the student meets graduation requirements, (ii) includes flexible class scheduling and alternative credit accumulation options, as needed, and (iii) furthers the student's post-graduation college or career goals. As needed, the plan shall also include a proposed end date for the student's maternity or paternity leave of absence. The liaison shall present the advantages and disadvantages of each education option available to the student, without coercing or steering the student in any direction, and work with the student to determine which options best meet the student's needs. If flexible class scheduling and alternative credit accumulation options are not available in the student's school or district, the liaison shall work with the student to find such options. With the consent of the student, the liaison shall make a reasonable attempt to engage a family member in the development of the plan and any modifications to it. If such a family member is not available or if the student does not consent to the involvement of a family member, the liaison shall make a reasonable attempt to engage an adult outside of the student's family in the development or modification of the plan, provided that the student consents to such involvement.
The liaison shall review the plan with the student at designated points during the school year and assess the student's progress toward each graduation requirement and post-graduation goal. The liaison and student shall modify the plan from time to time as appropriate.
Before, during and after a student's maternity or paternity leave of absence, the liaison shall attempt to connect a student with academic and social-emotional supports within and outside of the school, including but not limited to child care, health care, transportation, flexible scheduling, alternative credit accumulation options, and parenting and life skills classes. The liaison shall follow up with the student to ensure he or she has obtained needed supports and shall, where necessary, work in partnership with community-based organizations to assist and advocate for the student in obtaining support services. The expectant and parenting student liaison shall inform each expectant and parenting student of the student's rights under Title IX."
The amendment was *rejected*.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended in section 2, in item 7035-0006, by striking out the figures "$70,251,563" and inserting in place thereof the figures "$73,412,883".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, as follows:
"xxxx-xxxx For re-purposing the Juniper Park School into the Fine and Performing Arts Center at Westfield State University, provided that not less than $150,000 shall be expended for a study to determine planning, architecture engineering and other such costs……$150,000".
The amendment was *rejected*.

Mr. Welch moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Notwithstanding the provisions of any general or special law to the contrary, when determining the foundation budget for the upcoming fiscal year, the Department of Education shall consider students newly enrolled, as participants in the McKinney-Vento program, between October 1st and March 1st of the academic year."
The amendment was *rejected*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7061-9614, by inserting at the end thereof the following words:- "; provided further, that funds shall be provided for a grant program to support collaborative efforts among districts and by education collaboratives to provide educational services required under Chapter 222 of the Acts of 2012; provided further, that the amount allocated in fiscal year 2014 for the grant program established in section 1N of chapter 69 of the General Laws shall be allocated to the program in fiscal year 2015"; and by

striking out the figure "$146,140" and inserting in place thereof the following figure:- "$246,140".
The amendment was *rejected*.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the University of Massachusetts and the state universities shall issue an annual report on performance and innovation. Said report shall include, but not be limited to, an analysis of achievement or develop of programs designed to (i) improve graduation rates; (ii) improve academic success; (iii) improve the percentage of students graduating on time or early; (iv) improve operational efficiencies; (v) reduce the cost of tuition and fees; (vi) increase the transparency of expenses and annual budgets, including development of a zero-based budget; (vii) increase coordination and collaboration in the procurement of goods and services; (viii) close the achievement gap for low and moderate income students; (ix) and increase financial aid to low income students. Said annual reports shall be made available online on the website of the university and filed electronically with the clerks of the house and senate and with the house and senate committees on ways and means, who shall consider each universities commitment to the above criteria when determining state financial assistance. Said report shall be filed annually on or before January 15."
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7002-0020, by adding at the end thereof the following:- "provided further, that not less than $30,000 shall be provided for a district wide robotics program in the town of Saugus".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. DiDomenico, Wolf and Michael O. Moore and Ms. Lovely moved that the proposed new text be amended in section 2, in item 3000-2000, by striking out the figure "$6,503,861" and inserting in place thereof the following figure:- "$7,203,861".
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. Candaras, Ms. Creem and Messrs. Joyce and Michael O. Moore moved that the proposed new text be amended in section 2, in item 3000-7050, by striking out the figure "$15,526,078" and inserting in place thereof the following figure:- "16,526,078".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, by inserting after item 7112-0100, the following at the end thereof:
"xxxx-xxxx For the MetroWest College Planning Center to be administered by Framingham State University and Massachusetts Bay Community College at 1000 Worcester Road ('1812 House') in the Town of Framingham……..... $400,000".
The amendment was *rejected*.

Messrs. Tarr and Ross moved that the proposed new text be amended in section 2, in item 7100-0200, by inserting at the end thereof the following:- "; provided further that the University of Massachusetts shall develop and implement a plan (1) to offer three-year degree programs for each bachelors' degree offered in the university system and (2) to offer accelerated joint bachelors and professional degree programs, to be implemented in the 2015 school year. If the University of Massachusetts determines that it is impracticable to accelerate certain programs, the report shall explain the reasons why such accelerated programs are impracticable".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. DiDomenico, Lewis and Donnelly, Ms. Spilka, Mr. Michael O. Moore, Ms. Candaras, Ms. O'Connor Ives, Ms. Jehlen, Mr. Welch, Ms. Forry and Messrs. Petruccelli, Montigny, Finegold, Brownsberger, McGee, Barrett, Keenan and Joyce moved that the proposed new text be amended in section 2, in item 7035-0002, by striking out the figure "29,156,340" and inserting in place thereof the following figure:- "$35,000,000".
The amendment was *rejected*.

Ms. Creem, Messrs. Downing and Rodrigues, Ms. Lovely, Messrs. Brownsberger, Finegold, Eldridge and DiDomenico and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 3000-7060, by striking out the figures "$1,638,812" and inserting in place thereof the following figures:- "$2,500,000".
The amendment was *rejected*.

Messrs. Wolf, Lewis, DiDomenico and McGee moved that the proposed new text be amended in section 2, by adding after item 7009-6400, the following new item:
"xxxx-xxxx For grants to support the establishment and operation of career academies in gateway cities, and to build stronger relationships and partnerships among high schools, institutions of higher education, local employers, and

workforce development entities, in order to create multiple and seamless pathways to employment; provided, that the funds shall be used to establish education and industry coordinating councils (EICCs); provided further, that the EICCs shall be chaired by the district superintendent and chair of the local workforce investment boards, and shall include representatives from district high schools, institutions of higher education, industry partners, and local/regional employers; provided further, that such funding shall be used to engage in planning to establish career academies or to plan for the establishment of such academies during the following fiscal year; provided further, that this funding shall also be used to support the implementation of new academic and career programs at established career academies for up to 1 year of operation; and provided further, that funds may be expended through August 31, 2015 to allow for summer programming…….. $500,000".
The amendment was *rejected*.

Messrs. Eldridge, Barrett and Welch, Ms. Lovely, Ms. O'Connor Ives, Mr. Brownsberger, Ms. Creem, Ms. Forry and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7035-0008, by striking out the figure "$7,350,000" and inserting in place thereof the following figure:- "$14,878,069".
The amendment was *rejected*.

Messrs. Ross, Tarr, Hedlund, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. SECTION 1. Chapter 15 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 66, the following new section:-
SECTION 67. Section 1. The commissioner of Department of Elementary and Secondary Education shall increase the efficiency of government through:
(1) Reducing the use of paper through maximizing the available uses of information technology, including alternative information technologies to substitute for paper and increasing the use of electronic methods for the maintenance, submission, or disclosure of information, to improve data quality, agency efficiency and responsiveness to the public;
(2) Eliminating costly and wasteful government publications through the expanded use of electronic methods for distribution of documentation throughout state government, where feasible and appropriate;
(3) eliminating duplicative permitting and paperwork requirements through implementing inter-agency file sharing technologies in order that electronically stored data can be viewed and routed, where appropriate, by multiple agencies.
Section 2. The commissioner shall investigate any current statutory impediments for the reduction of the use of paper by state government and any impediments both statutory and technological, for more efficient electronic data storage and dissemination. The commissioner shall submit his findings, along with any legislative recommendations to address those findings, to the house and senate clerks, and the joint committee on education no later than August 31, 2013.
Section 3. The department of education shall , no later than July 1, 2014 and biannually thereafter, inventory all state and federal planning, reporting, and data gathering required of public education administrators to assess whether requirements for filing paperwork are still necessary and shall develop a single master reporting form to prevent duplicate information from being reported more than once yearly per school district. Commencing July 1, 2014, notwithstanding any special or general law to the contrary, no public school district shall be required to report the same information more than once yearly to any agency or department of the commonwealth except to provide the master reporting form as requested."
The amendment was *rejected*.

Mr. Richard T. Moore moved that the proposed new text be amended by inserting after section xx, the following new section:-
"SECTION XX. Section 222 of chapter 111 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding in subsection (a) at the end of the first sentence:- 'Notwithstanding the provisions of this section, coaches, athletic directors and parents or legal guardians of a child who participates in an interscholastic athletic activity shall be required to take such course every 2 years.'."
The amendment was *rejected*.

Messrs. Ross, Tarr, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 2 of chapter 70 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the definitions of 'assumed tuitioned-out special education enrollment' and 'assumed in school special education enrollment' and inserting in place thereof the following definitions:-
'Assumed tuitioned-out special education enrollment', the prior 5 year district average percentage of students included in foundation enrollments on Special Education Individual Education Plan whom the district has placed in out of district placements.
'Assumed in school special education enrollment', the prior 5 year district average percentage of students included in foundation enrollments on Special Education Individual Education Plans who attend district schools."
The amendment was *rejected*.

Mr. Richard T. Moore and Ms. Jehlen moved that the proposed new text be amended by inserting after section xx, the following new section:-
"SECTION XX. Any person (1) who provides account-based access to a website or an online service ('Service') to a primary or secondary school, a school district, or a board of cooperative educational services ('educational institution'), (2) who marketed and designed the Service for educational institutions, and (3) who has knowledge that the Service collects data related to a student ('student data'), may not use the Service to sell student data or to process student data in furtherance of advertising; provided that the Service provider may process student data to provide, improve, develop, or maintain the integrity of its Services."
The amendment was *rejected*.

Messrs. Ross, Tarr and Humason moved that the proposed new text be amended in section 2, in item 7035-0008, by inserting at the end thereof the following: "provided further, that the commissioner of the department of elementary and secondary education shall monitor and evaluate the implementation of said act in all districts in the commonwealth and shall report findings and any proposed recommendations to improve said implementation to the legislature on an annual basis; provided further, that said report shall include, but not be limited to, the number of homeless students in each district, the costs to the state, the costs reimbursed to each district, and the costs ineligible for reimbursement in each district".
The amendment was *rejected*.

Messrs. Richard T. Moore and Rush, Ms. Forry, Mr. Wolf, Ms. Lovely, Ms. Chang-Diaz and Messrs. Keenan, Michael O. Moore, Joyce and Petruccelli moved that the proposed new text be amended in section 2, in item 7035-0035, by striking the figure "$2,600,000" and inserting in place thereof the figure:- "$4,000,000".
The amendment was *rejected*.

Messrs. Timilty, Brownsberger and Pacheco moved that the proposed new text be amended in section 2, in item 8900-0001, by adding at the end thereof the following:- "provided further, that the department shall expend not less than $2,200,000 for municipalities hosting department of correction facilities; provided further, that of that $2,200,000, no municipality hosting a department of correction facility shall receive more than $800,000; provided further, that of the $2,200,000, the municipality hosting the facility at Cedar Junction shall receive no less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; and provided further, that of the remaining amount, one hundred per cent shall be distributed to each host municipality by dividing said remaining amount by the average daily prisoner population at all department of correction facilities, multiplied by the average daily prisoner population located within each host municipality"; and by striking out the figure "$560,181,787" and inserting the place thereof the figure "$562,381,787".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 8000-1701, by adding at the end thereof the following:- "provided that the town of Medway shall receive $273,000 for repairs to its emergency radio and communications infrastructure"; and by striking out the figures "$11,462,348" and inserting in place thereof the figures "$11,735,348".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 8000-0600, by inserting the following:- "; provided further, that $500,000 shall be expended for the continuation of a youth violence and street crimes unit pursuant to section 2 of chapter 182, of the acts of 2008".
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 8324-0000, by inserting after the word "Plymouth" the following:- "; provided further, that not less than $100,000 shall be expended for Bristol County Fire Chiefs Association to develop and upgrade the emergency radio communications system in Bristol county;" and by striking out the figure "$19,236,873" and inserting the following figure:- "$19,336,873."
The amendment was *rejected*.

Ms. Donoghue and Mr. Rush moved that the proposed new text be amended in section 2, in item 1410-0010, by adding at the end thereof the following: "; provided further that not less than $100,000 shall be expended for a competitive grant program for non-profits to provide assistance and referrals to obtain federal veterans' benefits. ……..$2,910,361".
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 8900-0001, by adding at the end thereof the following: "provided further, that notwithstanding any general or special law to the contrary, not more than $450,000 shall be expended to fund the Memorandum of Understanding between SEIU Local 509 and the Commonwealth to allow inmates to receive education year round"; and by striking out the figures "560,181,787" and

inserting in place thereof the figures "560,631,787".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 8000-0600, by inserting after the word "2000" the following:- "; provided, that not less than $200,000 shall be expended for a public safety grant to the municipality of Hamilton"; and by striking out the figure "$2,150,750" and inserting in place thereof the figure "$2,350,750".
The amendment was *rejected*.

Messrs. Michael O. Moore, Timilty, Rush and Donnelly, Ms. Donoghue and Messrs. Rodrigues and DiDomenico moved that the proposed new text be amended in section 2, in item 8700-1150, by striking out the figure "$3,750,000" and inserting in place thereof the following figure:- "$7,250,000".
The amendment was *rejected*.

Messrs. Timilty and Tarr moved that the proposed new text be amended by inserting after section 132, the following new section:-
"SECTION X. Chapter 10 of the General Laws is hereby amended by inserting after section 35BB the following section:- Section 35CC. There shall be established and set up on the books of the commonwealth a separate fund to be known as the Massachusetts Law Enforcement Memorial Fund to be used without appropriation by a department of public safety for the purpose of making annual payments to the Massachusetts Law Enforcement Memorial to memorialize and honor Massachusetts law enforcement personnel killed in the line of duty. There shall be credited to the fund revenues received by the commonwealth from the sale of registration plates under section 2G of chapter 90."
The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by inserting after section 132, the following new section:-
"SECTION X. Chapter 140 of the General Laws is hereby amended by inserting after section 131J the following section:- 131J1/2. In a municipality that accepts this section, any portable device or weapon described in section 131J that is possessed by a municipal law enforcement officer for the purpose of his or her official duties shall be capable of recording and amplifying sound; provided, however, that an officer may possess a portable device or weapon that is incapable of recording and amplifying sound if the portable device or weapon was purchased by the municipality before this section is accepted.
and Subsection D of section 99 of chapter 272 of the General Laws is hereby amended by inserting, after paragraph 1 (f), the following paragraph:
(g) for a law enforcement officer, acting in the performance of his or her official duties, while clearly identified as a law enforcement officer to violate the provisions of this section. Notwithstanding this provision, law enforcement officers may not record inside a person's residence."
The amendment was *rejected*.

Messrs. Timilty and Michael O. Moore moved that the proposed new text be amended in section 2, in item 8000-0600, by striking out the figure "$2,150,750" and inserting in place thereof the following figure:- "$2,262,692".
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 8000-1700 by adding the following: "provided further, that not less than $50,000 shall be expended to the town of Watertown for public safety improvements".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8900-0001, by inserting after the word "Worcester" the following words:- "; provided further that not less than $200,000 shall be expended to the Black Men of Greater Springfield, Inc to continue the operations of the W.E.B DuBois Academy Saturday School, W.E.B DuBois Academy Summer Camping program and the Unity grants program, as a youth development and violence prevention effort in Greater Springfield"; and by striking out the figure "$560,181,787 and inserting in place thereof the following figure:- "$560,381,787".
The amendment was *rejected*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 8900-0001, by inserting after the words "all prisoners confined in each prison operated by the department," the following words:- "; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of Chapter 131 of the Acts of 2010 shall be allocated to the programs in fiscal year 2015;".
The amendment was *rejected*.

Messrs. Rush, Ross, Michael O. Moore, DiDomenico and McGee moved that the proposed new text be amended by inserting after section __, the following new section:-

"SECTION __. Subsection (c) of section 100A of Chapter 32 is hereby amended in line 15 by striking out the following 'and who is not subject to chapter 152' and in said subsection by adding at the end thereof the following:- 'The family of a deceased public safety employee, who is subject to chapter 152 shall have the option of receiving the killed in the line of duty benefit or receive benefits pursuant to chapter 152.'."
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8100-1001, by inserting after the words "environmental offices" the following words:- "; provided further, that not less than $200,000 shall be expended for C3;"; and by striking out the figure "$264,039,069" and inserting in place thereof the following figure:- "$264,239,069".
The amendment was *rejected*.

Mr. Lewis moved that the proposed new text be amended in section 2, in item 8324-0000, by adding the following proviso:- "provided further, that not less than $50,000 shall be expended to the city of Melrose for public safety improvements to the City Fire Station".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, in item 8324-0000, by adding at the end thereof the following: "provided further that not less than $15,000 shall be expended for the city of Holyoke to purchase or offset the cost of purchasing new turnout gear;".
The amendment was *rejected*.

Mr. Lewis and Ms. Donoghue moved that the proposed new text be amended in section 2, inserting the following new section:-
"SECTION X: Section 7A of chapter 271 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended, in lines 8 and 85, by striking out the word 'twenty-five' and inserting in place thereof, in each instance, the word "two hundred and fifty."
The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 8900-0001, by adding at the end thereof the following: "provided further, that no less than the amount provided for in chapter 61 of the acts of 2007 shall be expended for the municipality hosting the Bay State Correctional Center".
The amendment was *rejected*.

Mr. McGee and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 8100-1001, in line 14, after the words "cases of criminal abuse;" inserting the following new words:- "provided further, that not less than $1,000,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2015;"; and by striking out the figure: "$264,039,069" and inserting in place thereof the following figure: "$265,039,069".
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended by inserting the following section:-
"SECTION XX. The Middlesex Sheriff's Office shall operate a medical release pilot program. The court may grant a medical release to a prisoner held by the Middlesex Sheriff's Office upon the court's determination that the prisoner has an irreversible condition, disease or syndrome that is terminal, debilitating, or incapacitating and that the prisoner's release will not be incompatible with public safety. The authority to grant a medical release rests solely within the discretion of the court. No prisoner has the right to medical release. Consideration of a prisoner for medical release may be initiated by the sheriff, the superintendent of a house of correction, the superintendent of the jail, special sheriff, a licensed physician, the prisoner, a member of the prisoner's family, or the prisoner's attorney. In determining whether to grant a medical release, the court shall obtain the review of a licensed physician. The sheriff shall facilitate appropriate community placement for prisoners granted a medical release. A person granted medical release under this section shall be under the jurisdiction, supervision and control of the court. The sheriff shall impose terms and conditions for such release. The sheriff may revise, alter or amend such terms and conditions at any time.
The Middlesex Sheriff's Office shall file an annual report by July 1 of each year with Joint Committee on the Judiciary and the Joint Committee on Public Safety and Homeland Security. This report shall include, at a minimum, data about the number of individuals considered for release, the number of individuals released, the medical condition of each individual released, the current residence of all individuals released, any violations of the conditions of release by any individual released, and an estimate of any health care cost savings resulting from the medical release program."
The amendment was *rejected*.

Ms. Creem and Messrs. Pacheco, Lewis, DiDomenico, Montigny, Wolf, Hedlund, McGee, Brownsberger, Barrett, Eldridge and Michael O. Moore moved that the proposed new text be amended by inserting after section __, the following

new section:-
"SECTION __. the General Laws, as amended by section 9 of chapter 79 of the acts of 2014, are hereby further amended by inserting after chapter 90I the following chapter:-
Chapter 90J Automatic License Plate Reader Systems
Section 1. Definitions
As used throughout this chapter, the following words shall have the following meanings:
'ALPR data' means any data captured, created or originated by an ALPR system, including, without limitation, GPS coordinates, dates, times, images and license plate numbers, existing in an any form or medium, whether electronic, paper or otherwise, and any copies thereof;
'Automated license plate reader system' or 'ALPR system' means a system of one or more mobile or fixed high-speed cameras combined with computer algorithms to convert images of license plates into computer-readable data;
'Department' means department of transportation;
'Executive office' means executive office of public safety and security;
'Governmental entity' means any official, officer, agency, office, instrumentality, department, division, committee, board, advisory board, commission or other body or authority of the commonwealth, or of any county or municipality, or any employee thereof, or any agent or other person acting on behalf thereof while acting within the scope of such agency or representation;
'Law enforcement agency' means any state or municipal law enforcement agency;
'Law enforcement officer' means a state or municipal police officer or traffic or parking enforcement officer;
'Legitimate law enforcement purpose' means: detection or investigation of a crime, traffic violation or parking violation; operation of AMBER alerts; or searches for missing or endangered persons;
'Non-governmental entity' means any person other than a governmental entity;
'Person' means any individual, partnership, corporation, association, society, entity or governmental entity;
'Preservation request' means written notice delivered by a federal, state or municipal law enforcement agency or a defendant in a criminal case to the executive office or a non-governmental entity requesting that certain ALPR data be preserved and retained for a specified period of time not to exceed 30 days from the date such request is received; provided, that such preservation request shall be accompanied by an affidavit stating: (i) the parameters identifying which ALPR data must be preserved, including, without limitation, the license plate numbers, if any, and the dates, times, and locations; and (ii) that such specified period of time is necessary to obtain a search warrant or production order compelling the production of such ALPR data; provided further, that the agency or defendant may serve subsequent preservation requests pending resolution of any motion filed in connection with such search warrant or production order, or any appeal related thereto;
'Production order' means an order or summons obtained by a defendant in a criminal case charged with a felony requiring a non-governmental entity or the executive office to produce ALPR data; provided, that such order or summons shall be issued in compliance with Massachusetts Rule of Criminal Procedure 17(a)(2); provided further, that any ALPR data produced in response to such order or summons shall be deemed privileged for the purposes of complying therewith;
'Search warrant' means: (i) a federal search warrant issued upon a determination of probable cause by a court or justice authorized to issue warrants in criminal cases that meets the requirements of the Federal Rules of Criminal Procedure; or (ii) a state search warrant issued pursuant to the requirements of sections 2 through 3A, inclusive, of chapter 276 by a court or justice authorized to issue warrants in criminal cases; provided, that such federal or state search warrant shall be issued only upon a determination that the entity seeking the warrant has probable cause to believe that evidence of imminent or actual identified criminal activity will be found in the ALPR data described in such warrant.
Section 2. State or municipal government; permitted uses
Notwithstanding any general or special law or regulation to the contrary, it shall be unlawful for any governmental entity to use an ALPR system; provided, however, that an ALPR system may be used by:
(a) law enforcement agencies for legitimate law enforcement purposes; and
(b) the department for the purpose of assessing and collecting tolls.
Section 3. General obligations
(a) Any database or other information against which license plate numbers are cross-referenced by an ALPR system operated by any person shall be updated every 24 hours, or at such other intervals as updated information become available if greater than 24 hours.
(b) Prior to taking any action in response to an alert or prompt from an ALPR system operated by any person, the individual so alerted shall confirm that:
(1) the license plate number of the targeted vehicle matches the license plate number that prompted the alert; and
(2) the information or circumstances giving rise to the alert have not changed materially since the time such information was last updated pursuant to subsection (a).
(c) No person shall operate an ALPR system while traveling on:
(1) private ways or property without the prior written consent of the owner of record of such way or property; or
(2) any property owned or leased by the commonwealth, or any agency, authority or political subdivision thereof; provided, however, that a law enforcement agency may operate an ALPR system on such property for a legitimate law enforcement purpose.

Section 4. Certification

No employee, agent or any individual acting on behalf of any governmental entity shall access, search, review or disclose ALPR data or operate an ALPR system unless and until such employee, agent or individual has been certified by the executive office as having reviewed and understood the laws and regulations applicable to ALPR system operation and data storage.

Section 5. ALPR data; retention by law enforcement

Notwithstanding any general or special law or regulation to the contrary, not later than 48 hours following the time ALPR data is captured, created or originated by an ALPR system operated by a law enforcement agency, the agency:

(a) may, at the option of the agency, transfer such data to the executive office; and

(b) shall permanently erase or destroy any such data in its possession, custody or control.

Section 6. ALPR data; retention by the department

(a) Not later than 48 hours following the time ALPR data is captured, created or originated by an ALPR system operated by the department or its agent, the department or its agent shall transfer such data to the executive office.

(b) Not later than 90 days following the date ALPR data is captured, created or originated by an ALPR system operated by the department or its agent, the department or its agent shall permanently erase or destroy any such data in its possession, custody or control; provided, however, that the department or its agent may retain such data for longer than 90 days if such data is necessary to identify, collect or pursue unpaid tolls; provided further, that such data shall be permanently erased or destroyed not later than 7 days following the date such tolls are paid.

Section 7. ALPR data; retention by the executive office

(a) The executive office shall retain and store ALPR data transferred to it pursuant to sections 5 or 6 for a period of 90 days. At the end of such 90-day period, the executive office shall permanently erase or destroy all such data in its possession, custody, or control.

(b) ALPR data may be retained beyond the 90-day period established under subsection (a) as necessary to comply with:

- **(1) a search warrant;**
- **(2) a production order; or**
- **(3) a preservation request.**

(c) The executive office shall retain and store ALPR data pursuant to subsection (a):

- **(1) in a physically secure room used exclusively for the purposes set forth in subsection (a); and**
- **(2) if stored electronically, on a system that is not connected to the Internet or any wide-area or local-area network.**

Section 8. ALPR data; retention by non-governmental entities

(a) Notwithstanding any general or special law or regulation to the contrary, a non-governmental entity shall permanently erase or destroy all ALPR data in its possession, custody, or control that is derived from vehicles registered or operated within the commonwealth, including any portions of documents or records derived from such ALPR data, not later than 90 days following the date such data was captured, created or originated by an ALPR system.

(b) Such ALPR data may be retained beyond the 90-day period established under subsection (a) as necessary to comply with:

- **(1) a search warrant;**
- **(2) a production order; or**
- **(3) a preservation request.**

Section 9. ALPR data; government access and review

Subject to section 4, notwithstanding any other general or special law or regulation to the contrary, a governmental entity may not access, search, review, disclose, or exchange ALPR data from any source; provided, however, that:

(a) a law enforcement officer may access, search or review ALPR data as necessary to comply with subsection (a) of section 3;

(b) a law enforcement officer may access, search or review ALPR data immediately following an alert from an ALPR system prior to executing a motor vehicle stop or issuing a ticket or citation as necessary to comply with subsection (b) of section 3;

(c) an employee or agent of a law enforcement agency, the executive office or the department may access ALPR data as necessary to install, maintain or repair an ALPR system or a system storing ALPR data;

(d) a law enforcement officer or an employee of a law enforcement agency, the executive office, or the department may access, search, review or disclose ALPR data as necessary to respond to a reasonable belief that an individual is at imminent risk of serious physical injury, death or abduction; provided, that not later than 48 hours after accessing such ALPR data, the agency, executive office or department shall provide written notice to the office of the attorney general describing with particularity the grounds for such emergency access and the parameters of the ALPR data accessed, searched, reviewed or disclosed; provided further, that such ALPR data within the possession, custody or control of the law enforcement agency shall be permanently erased or destroyed not later than 48 hours after such imminent risk ceases to exist;

(e) a law enforcement officer or an employee of a law enforcement agency may access, search, review or disclose ALPR data as necessary to comply with:

- **(1) section 5;**
- **(2) a search warrant; or**
- **(3) a production order;**

(f) an employee of the executive office may access, search, review or disclose ALPR data as necessary to comply with:

(1) section 7;

(2) a search warrant;

(3) a production order; or

(4) a preservation request;

(g) a law enforcement agency, a district attorney's office or the office of the attorney general may access, search, and review ALPR data obtained pursuant to a search warrant in connection with the investigation or prosecution of a felony; provided, however, that such ALPR data shall not be disclosed unless material to and in furtherance of such investigation or prosecution; provided further, that any such ALPR data not material to such investigation or prosecution shall be permanently erased or destroyed not later than 6 months following the date the search warrant was executed; provided further, that such agency or office may apply to the district or superior court for an order allowing for extensions of not more than 6 months upon a showing that a determination as to the materiality of such ALPR data could not be made through reasonable effort within such period of time; or

(h) an employee or agent of the department may access, search, review or disclose ALPR data:

(1) as necessary to comply with section 6; or

(2) for the purpose of assessing, collecting or pursuing tolls.

Section 10. Additional protections

(a) ALPR data in the possession, custody or control of a non-governmental entity that is derived from motor vehicles registered or operated within the commonwealth may not be disclosed to or exchanged with any other person; provided, however, that such non-governmental entity may disclose such data:

(1) to a law enforcement officer responding to a reasonable belief that an individual is at imminent risk of serious physical injury, death or abduction; provided, that such law enforcement officer submits an affidavit to such non-governmental entity describing with particularity the grounds for such emergency access and the parameters of the ALPR data requested; provided further, that not later than 48 hours after disclosing, sharing or exchanging such ALPR data, such law enforcement officer shall deliver a copy of such affidavit to the office of the attorney general;

(2) pursuant to a search warrant or production order;

(3) as necessary in connection with matters of motor vehicle or driver safety and theft, motor vehicle emissions, motor vehicle product alterations, recalls, or advisories, performance monitoring of motor vehicles and dealers by motor vehicle manufacturers;

(4) as necessary in connection with motor vehicle market research activities, so long as the ALPR data is not published, redisclosed, or used to contact individuals;

(5) for use by any insurer or insurance support organization, or by a self-insured entity, or its agents, employees, or contractors, in connection with claims investigation activities; or

(6) for use in connection with the operation of private toll transportation facilities.

(b) Notwithstanding subsection (a), or any other general or special law or regulation to the contrary, ALPR data derived from vehicles registered or operated within the commonwealth shall not be used in any way by any person:

(1) to determine a person's numerical or other credit rating; provided, however, that nothing in this subsection shall be construed to prevent the department from reporting unpaid tolls to any credit reporting agency or service;

(2) to make any determination with respect to any secured or unsecured credit facility or loan, or any other form of financing, whether secured or unsecured, including, without limitation, any determination as to whether to extend such financing, the applicable interest rate or rate of return, or whether an event of default exists;

(3) to determine a person's insurance rate or rating with respect to any form of insurance, including, without limitation, any policy of life insurance, health insurance, automobile insurance or liability insurance;

(4) to make any determination with respect to hiring, dismissal, discharge, suspension, compensation or any other employment decision; or

(5) to identify targets of or to engage in any form of promotion, marketing, advertising or solicitation.

(c) A recipient of ALPR data disclosed pursuant to subsection (a) may disclose such data only as permitted under subsection (a); provided, that any recipient of ALPR data shall be subject to the retention limitations and obligations contained in sections 8 and 9, as applicable.

Section 11. ALPR data; admissibility

(a) Notwithstanding any general or special law or regulation to the contrary, ALPR data produced, obtained or maintained in violation of this chapter shall not be admitted, offered or cited by any governmental entity for any purpose in any criminal proceeding.

(b) Notwithstanding any general or special law or regulation to the contrary, ALPR data shall not be discoverable, admissible in evidence or offered or cited for any purpose in any civil or administrative proceeding by any party; provided, however, that subject to subsection (a), such data shall be admissible when offered by the department in any civil or administrative proceeding relating to the collection of tolls.

Section 12. Civil actions

(a) Any aggrieved person may institute a civil action in district or superior court for damages resulting from a violation of this chapter, or in superior court to restrain any such violation. If in any such action a willful violation is found to have occurred, the violator shall not be entitled to claim any privilege absolute or qualified, and he shall, in addition to any liability for such actual damages as may be shown, be liable for treble damages, or, in the alternative, exemplary damages

of not less than one hundred and not more than one thousand dollars for each violation, together with costs and reasonable attorney's fees.
(b) A violation of sections 3, 8 or 10 of this chapter shall also be a violation of section 2 of chapter 93A.
Section 13. Violations; reporting requirements
Any individual certified in accordance with section 4 shall promptly provide written notice to the office of the attorney general if such person has knowledge of a violation of any of the provisions of this chapter.
Section 14. Data security
ALPR data derived from vehicles registered or operated within the commonwealth shall be deemed personal information under chapter 93H and all rules and regulations promulgated thereunder; provided, that the data security provisions contained in subsection (c) of section 7 applicable to the executive office shall not be construed in any way by any court, office, division or agency to mean that less protection is required from any other governmental or non-governmental entity.
Section 15. Further regulation by governmental entities
Nothing contained in this chapter shall be construed to prevent a law enforcement agency, a municipality, the executive office or the department from adopting stricter limitations with respect ALPR systems or ALPR data.
Section 16. Reporting
On or before March 1 annually, the executive office shall file a report with the clerks of the senate and house of representatives containing the following information based on data from the prior calendar year:
(i) the total number of ALPR systems being operated within the commonwealth;
(ii) the number of municipalities submitting ALPR data to the executive office pursuant to section 5;
(iii) the number of license plate scans transferred to the executive office pursuant to section 5;
(iv) the number of license plate scans transferred to the executive office pursuant to section 6;
(v) the number of state warrants seeking ALPR data served on the executive office; and
(vi) the number of federal warrants seeking ALPR data served on the executive office.
Section 17. Executive office; rules and regulations
The executive office shall promulgate rules and regulations necessary to implement sections 2 through 9, inclusive, and section 16, including, without limitation, rules and regulations:
(a) ensuring that only those governmental entities authorized by this chapter to use ALPR systems and access ALPR data do so for the limited purposes set forth in this chapter; and
(b) establishing an auditing process to assess compliance with this chapter by governmental entities.
Section 18. Office of the attorney general; enforcement
The attorney general shall enforce sections 2 through 10, inclusive, and shall have the power to petition the court for injunctive relief, relief under chapter 93A, or other appropriate relief against any person that fails to comply therewith.
Section 19. Severability
If any provision of this chapter or the application thereof to any person or circumstance is held invalid, the invalidity shall not affect other provisions or applications of the chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are declared to be severable."
The amendment was *rejected*.

Messrs. Ross and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. There shall be established and set upon the books of the commonwealth a separate fund to be known as the Prison Mitigation Fund, which shall be used exclusively for cities and towns hosting department of correction facilities. Amounts credited to the fund shall be administered by the department of correction.
There shall be credited to the fund, revenue from appropriations or other monies authorized by the general court and specifically designated to be credited to the fund and investment income earned on the fund's assets, and all other sources. Money remaining in the fund at the end of the fiscal year shall not revert to the General Fund.
One hundred per cent of the monies deposited in the fund, but not less than $2,800,000 in the aggregate, in each fiscal year shall be distributed to each said city and town in accordance with the following formula: the aggregate amount in the fund divided by the average daily prisoner population at all department of correction facilities, multiplies by the average daily prisoner population located within said city or town."
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. Creem, Mr. Eldridge, Ms. Jehlen and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 8900-0001, by inserting after the words "all prisoners confined in each prison operated by the department," the following words:- "; provided further, that not less than $1,494,517 be expended on rehabilitation and reentry programming within Department of Correction facilities, and that such programming shall include but not be limited to year round academic education, substance abuse treatment and education, cognitive behavioral therapy, and violence reduction programs;"; and by striking out the figure "560,181,787" and inserting in place thereof the following figure:- "561,676,304".
The amendment was *rejected*.

Messrs. Tarr, Ross, Kennedy, Pacheco, Humason and Michael O. Moore and Ms. Lovely moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION__. Section 2F of Chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking paragraph (a) in its entirety and inserting in place thereof the following paragraph:-
'(a) The registrar shall design, issue and regulate the use of distinctive registration plates, subject to the following conditions: an organization sponsoring or requesting a distinctive registration plate shall submit individual, pre-paid applications, each accompanied by a nonrefundable check in the amount of $40, requesting the distinctive registration plate on an application form determined by the registrar, and the application form shall include the name, address and signature of each individual requesting the distinctive registration plate. The organization or group shall also be required to post a bond to secure the issuance of the distinctive plate in the following amount:
(i) a $200,000 bond when submitting 500 pre-paid applications;
(ii) a $150,000 bond when submitting 1,000 pre-paid applications; or
(iii) a $100,000 bond when submitting 1,500 pre-paid applications.
Upon the completion of the submission of the bond and the individual applications, the organization or group requesting the distinctive registration plate shall submit a proposed design for the plate. Those organizations or groups that submit 3,000 pre-paid applications shall not be required to post a bond. The registrar shall approve the design within 90 days of its submission. After the registrar grants approval of the design, the registrar shall send the distinctive registration plate into production.'."
The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by inserting after section___, the following new section:-
"SECTION ___. Section 51G of chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following new paragraph:-
'When eminent domain taking is used for the purpose of ancillary airport operations such as parking, municipalities shall be compensated on an annual basis for the loss of property tax revenue. Such property tax revenue shall be determined using the taking authority's appraisal used in determining the eminent domain award to the property owner, the assessed value by the municipality, or the value of the property as determined by the court if the taking is appealed, whichever is highest . Such compensation shall commence within one year of the transfer of property and with the approval of the mayor and the city council in cities or the approval of town meeting.'."
The amendment was *rejected*.

Messrs. Rush and Michael O. Moore, Ms. Forry and Mr. DiDomenico moved that the proposed new text be amended in section 2E, in item 1595-6368, by adding at the end thereof the following:- "; and provided further, that not less than $600,000 shall be expended for coordinated veterans transportation services and that the Massachusetts Bay Transportation Authority and regional transit authorities are hereby authorized to enter into contracts and coordinate with a 501 (C) 4 national service organization currently providing transportation service in order to provide transportation services to veterans in need of transportation to medical and other life line appointments"; and by striking out the figures "$389,801,636" and inserting in place thereof the following figures "$390,401,636".
The amendment was *rejected*.

Messrs. Hedlund and Kennedy moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority shall restore the operation of weekend commuter rail service on the Kingston/Plymouth and Greenbush Lines on Saturdays and Sundays for a two year trial period. Said service shall be maintained to and from Greenbush and South Station, and to and from Kingston and South Station. The trial period shall begin within 6 months of the effective date of this act. The Massachusetts Bay Transportation Authority shall provide a report detailing how the cost of maintaining weekend rail service on the Kingston/Plymouth and Greenbush Lines compares to maintaining weekend rail service on other commuter rail lines no later than 1 year and 60 days after the start of the trial period."
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended, as follows:
"Section XX. Chapter 79 of the Acts of 2014 is hereby amended by inserting in line item 6121-1317 the following:-
'provided further, that $4,000,000 shall be expended for the reconstruction of state highway route 123 (Main Street) in the town of Norwell from Norwell Center to the Hanover town line; provided further, that $175,000 shall be expended for traffic signalization at the intersection of South and Main Streets in the town of Norwell;'."
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended by inserting the following new section: --
"SECTION XX. Section 3 of Chapter 242 of the Acts of 2012 is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-
(b) The department shall be governed and its corporate powers exercised by a board of directors. The board shall consist of 9 members appointed by the governor for a term of 4 years, 3 of whom shall be experts in the field of public or private finance and management; 1 of whom shall have experience in public policy; 1 of whom shall have experience in

transportation planning and policy; 1 of whom shall be the secretary of transportation, who shall serve as ex officio; 1 of whom shall be submitted to the governor by the Mayor of Boston; 1 of whom shall be a representative of a labor organization; and 1 of whom shall be a registered civil engineer with at least 10 years experience. The governor shall designate 1 of the members, other than the ex-officio director, to serve as chairperson of the board. Not more than 4 of the directors, except the ex-officio director, shall be members of the same political party. Each director shall serve without compensation but may be reimbursed for actual and necessary expenses reasonably incurred in the performance of their duties, including reimbursement for reasonable travel; provided, however, that such reimbursement shall not exceed $3000 annually. Any person appointed to fill a vacancy in the office of a member of the board shall be appointed in a like manner and shall serve for only the unexpired term of such former member. Any director shall be eligible for reappointment. Any director may be removed from his appointment by the governor for cause. The board shall annually elect 1 of its members to serve as vice-chairperson."
The amendment was *rejected*.

Messrs. Tarr and Hedlund moved that the proposed new text be amended in section 8, by inserting at the end thereof the following:- "Provided further, the department shall report to the clerks of the house of representatives and the senate, and the house and senate committees on ways and means, when the negative balance of funds available exceeds $50,000,000 or when the department anticipates exceeding $50,000,000 due to extensive participation in incident response efforts".
The amendment was *rejected*.

Ms. Spilka and Ms. Lovely moved that the proposed new text be amended by inserting after section __, the following new sections:-
"SECTION XX. Paragraph (a) of section 2F of chapter ninety of the General Laws is hereby amended by striking out the number '1,500' in the second sentence; in the third sentence; and in the fourth sentence and inserting in each place thereof the number: - 500.
SECTION XX. Paragraph (b) of section 2F of chapter ninety of the General Laws, is hereby amended by striking out the number '3,000' in the first sentence and inserting in place thereof the number: – 1000."
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 1599-0026, by adding at the end thereof the following:- "provided further that the Massachusetts Department of Transportation and the University of Massachusetts – Lowell conduct a feasibility study on clean air transit buses".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION XXX. There is hereby established a special task force to analyze the feasibility of a vehicle registration plate system that utilizes non-alphanumeric symbols as part of the registration identification for plates issued by the registrar of motor vehicles. The task force shall consist of the registrar of motor vehicles, who shall serve as the chair; the colonel of the state police or a designee; a representative of the Massachusetts Chiefs of Police Association; a designee from the Molly Bish Center for Missing and Exploited Children; the secretary of administration and finance or a designee; the secretary of transportation or a designee; the secretary of the executive office of public safety and security or a designee; a representative of the State Police Association of Massachusetts; a member of a labor organization representing police officers designated by the governor; and as ex officio members a representative from the United States Department of Transportation, a representative from the United States Department of Justice, a representative from United States Immigration and Customs Enforcement, and a representative from the United States Department of Homeland Security. The study shall be directed to the feasibility of such a system, its cost, time frame for implementation, impact on federal, state and local law enforcement and between states and the tools and equipment necessary to produce enhanced recognition and identification registration plates. The study shall assess: human factors involved in the mental recognition of vehicle license plates, including human reaction to numbers, letters, characters and symbols and the ability to cognitively process them; provided, however, that the task force shall rely upon scientific studies that analyze and assess such human reaction and such ability as applied to not fewer than 15 non-alpha-numeric symbols as appearing on license plates traveling on public and non-public ways; provided further, that such scientific studies have been peer reviewed; and provided further, that the task force shall consult with relevant research or clinical scientists and medical professionals in the field of cognitive psychology and perception to verify the accuracy of the information it reviews; (ii) transportation-based factors including, but not limited to, the impact on toll revenues; (iii) interfaces with motor vehicle databases in other states including, without limitation, any licensing and registration system used by the registry of motor vehicles; and (iv) criminal information system accessibility.
The task force may conduct 1 or more public hearings to inform the public of its activities. The report of the task force shall be filed with the clerks of the senate and the house of representatives not later than December 31, 2014."
The amendment was *rejected*.

Messrs. McGee and Joyce moved that the proposed new text be amended by inserting after section ____, the following new section:-

"SECTION XXX. (a) Section 2 of chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by deleting, in line 143, the words ', without charge,'.
(b) Said chapter 90, as so appearing, is hereby further amended by inserting after section 2I the following new section:- Section 2J. Beginning July 1, 2016, upon registration or renewal, the registrar shall issue new number plates to every person whose motor vehicle is registered under this chapter. All number plates issued after July 1, 2016 shall be valid for a period of 8 years, following which, upon renewal, such plates shall be replaced. No fee shall be assessed for the issuance of new number plates, provided that the registrar may impose a charge in order to defray the costs incurred to issue such plates, provided further that any such charge shall not be imposed upon number plates that are required by general or special law to be issued without charge.
(c) The registrar may utilize a 'rolling' replacement cycle with respect to those motor vehicles registered prior to July 1, 2016, or otherwise stagger issuance of new number plates, in order to implement subsection (b)."
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended by inserting after section _____, the following new section:-
"SECTION XXX. Section 18 of Chapter 161A of the General Laws, as appearing in the 2012 Official 1563 Edition, is hereby amended by adding the following paragraph: The secretary of administration and finance, on behalf of the commonwealth, shall, with the concurrence of the secretary of the Massachusetts Department of Transportation, enter into a contract with the authority prior to July 1, 2014, providing for payments by the commonwealth of $160,000,000 annually to the authority, in substantially equal monthly payments not later than the last day of each month, commencing with July 2014. The authority may pledge such contract and the rights of the authority to receive amounts thereunder as security for the payment of notes or bonds issued under the provisions of this chapter. Such contract shall constitute a general obligation of the commonwealth for which the faith and credit of the commonwealth shall be pledged for the benefit of the authority and of the holders of any notes or bonds of the authority which may be secured by a pledge of such contract or of amounts to be received by the authority under such contract."
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION XXX. Section 19A of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting, in line 40, the following new paragraph:-Notwithstanding any general or special law to the contrary, the maximum gross vehicle weight limit, bridge formula limit and axle weight limit for any vehicle or combination of vehicles equipped with an idle reduction system may be increased by a quantity necessary to compensate for the additional weight of the idle reduction system as provided for in 23 U.S.C. Section 127, as amended. In no case shall the additional weight increase allowed by this section be greater than four hundred pounds. Upon request by an appropriate law enforcement officer, the vehicle operator shall provide proof that the idle reduction technology is fully functional at all times and that the gross weight increase is not used for any purpose other than for the use of an idle reduction system. For purposes of this section, an idle reduction system is any system that provides heating, cooling or electrical service to a commercial vehicle cab for the purpose of reducing vehicle idling."
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Section 20G of Chapter 90, as appearing in the 2012 Official Edition of the General Laws, is hereby amended by adding in line 8 after the word 'regulation' the following:- ', provided, however, that violations issued prior to a person's most recent license renewal shall not constitute a violation for purposes of this section'."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, the department of transportation shall annually file with the clerks of the house of representatives and senate, and post on the department's website, a report by December 31 showing the results of its efforts to seek savings, efficiencies and reform to improve transportation infrastructure governance and management."
The amendment was *rejected*.

Ms. Chang-Diaz and Ms. Forry moved that the proposed new text be amended in section 2E, in item 1595-6369, by inserting after the word "Laws" the following:- "; provided, that no less than $7,500,000 shall be expended for the Key Bus Route improvement initiatives that focus on the next 15 busiest bus routes in the MBTA system"; and by striking out the figure "$296,552,622" and inserting in place thereof the following:- "$304,052,622".
The amendment was *rejected*.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 5911-1003, by adding the following:-
"provided further, that not less than $100,000 shall be expended for the Best Buddies peer to peer mentoring program for intellectually challenged individuals".
The amendment was *rejected*.

Messrs. Rush and DiDomenico and Ms. Donoghue moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION __. (a) There is hereby established the Massachusetts Higher Education Veteran Health Services Council, consisting of fourteen members. 4 shall be members from the legislature, 1 of whom shall be a member of the house of representatives appointed by the speaker of the house who shall serve as co-chair, 1 of whom shall be a member of the senate appointed by the president of the senate who shall serve as co-chair, 1 of whom shall be a member of the minority party in the house appointed by the minority leader, 1 of whom shall be a member of the minority party of the senate appointed by the minority leader; 1 member shall be a representative from the office of veteran services appointed by the secretary of the department of veterans services; 1 member shall be a representative from the board of higher education appointed by the commissioner of higher education; 1 member shall be a representative from the department of public health to be appointed by the commissioner of public health; 1 member shall be a veteran of a post-9/11 war appointed by the joint committee on veterans and federal affairs; and 6 members shall be appointed by the governor, 1 of whom shall be a representative of Loyola Recovery Foundation, 1 of whom shall be a representative of a public or private College or University, 1 of whom shall be a representative of a Post Traumatic Stress mental health professional organization, 1 of whom shall be a representative of Massachusetts Veterans Health Administration, 1 of whom shall be a representative from the Governors Student Veterans Advisory Board, 1 of whom shall be a representative of the Governor's Advisory Council for Veterans' Services. (b) Council members shall be appointed for a term of 4 years. The council shall meet 4 times annually for the first 4 years. After the first 4 years, the council shall evaluate the progress of its efforts and shall disband unless a majority of the council members recognize a continuing need for the council to exist. (c) The council shall consult with and solicit input from various persons and groups including, but not limited to, the: Massachusetts Department of Veteran Affairs, Massachusetts Department of Veteran Services, Massachusetts Department of Higher Education, Boston Trauma Center, Justice Resource Institute, Loyola Recovery Foundation, Massachusetts Department of Veteran Services, Massachusetts Department of Health, Governor's Student Veterans Advisory Board, Governor's Advisory Council for Veterans' Services. (d) The council shall review existing Health Services dedicated to Veterans at all Massachusetts Higher Education Institutions, specifically focusing on Health Services dedicated to treating Post Traumatic Stress of Veteran Students and make recommendations to the Department of Higher Education, Department of Veteran Services, Department of Public Health on model approaches including, but not limited to, the following areas: (i) the alignment of efforts between the department of higher education, the department of veteran services and the non-profit sector on veteran services; (ii) opportunities for coordination and collaboration between higher education institutions and Veteran services programs; (iii) methods for improving quality and resources for treating Veterans with PTS, including enhancing opportunities for professional development and technical assistance; (iv) methods and programs to help improve the academic success in higher education of Veterans with PTS, and (v) public and private support to build a sustainable infrastructure for support programs for Veteran higher education students with PTS.
SECTION __. The department of Veterans' Services, department of higher education, executive office of health and human services, and the department of labor and workforce development shall each report to the Massachusetts higher education Veteran health services council a description of all state and federal funding directly expended to Veteran Health Services treating PTS on Massachusetts higher education campuses and the programs such finding supports not later than September 1 for each year that the council exists.
SECTION __. The Massachusetts higher education Veteran health services council shall annually prepare a progress report concerning the council's activities, with appropriate recommendations concerning health services for Veterans with PTS attending higher education institutions, and file the report with the governor and the clerks of the senate and the house of representatives, who shall forward the report to the chairs of the joint committee on Veteran services and federal affairs and the chairs of the house and senate committees on ways and means not later than June 1 of each year that the council exists.
SECTION __. The Massachusetts higher education Veteran health services council shall conduct it first meeting not more than 90 days after the effective date of this act."
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 2, in item 1410-0010, by inserting at the end thereof the following: "provided further that not less than $500,000 shall be expended for a peer support homeless outreach program"; and by striking out the figures "$2,810,361" and inserting in place thereof the figures "3,310,361".
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 9110-1604, by striking the figure of "4,150,900" and inserting in place thereof "$5,450,900".
The amendment was *rejected*.

Ms. Jehlen, Messrs. Lewis and DiDomenico moved that the proposed new text be amended in section 2, by inserting after section ___, the following new section :-
"SECTION____. The Commissioner of the Department of Public Health and the Secretary of the Executive Office of Elder Affairs and the chairs' designees, who shall serve as co-chairs, shall complete a comprehensive study of home health agencies in consultation with 4 representatives of the General Court, 1 appointed by the Speaker of the House; 1 appointed by the House Minority Leader, 1 appointed by the Senate President; and 1 appointed by the Senate Minority

Leader, as well as a representative of the Home Care Alliance of Massachusetts. The study shall make recommendations regarding licensure and other means to ensure appropriate levels of high quality provision of home health care services in the Commonwealth. In addition the study shall identify the current numbers of home health care agencies operating in the Commonwealth and the number of home health care agencies in the Commonwealth certified by the Center for Medicare and Medicaid Services.
The final study and recommendations, including any recommended standards or regulations for licensing and the projected costs of implementing such recommendations, shall be reported to the House and Senate Committees on Ways and Means, the Joint Committee on Elder Affairs, the Joint Committee on Health Care Financing, the Joint Committee on Public Health, and the Health Planning Council as established pursuant to M.G.L. c. 6A, §16T by no later than January 30, 2015."
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 9110-1636, by inserting the following:- "provided further that not less than $100,000 shall be expended for the establishment of and administrative support of regional Financial Abuse Specialist Teams (FAST Teams) to improve the ability of elder protective services programs to investigate and respond to reports of financial exploitation as recommended by the Elder Protective Service Commission established by section 204 of Chapter 139 of the Acts of 2012; provided further that the Executive Office of Elder Affairs shall provide a report to the House and Senate Chairs of the Joint Committee on Elder Affairs on the implementation of FAST Teams on or before June 30, 2015"; and by striking out the figure "$22,710,663" and inserting in place thereof "$22,810,663".
The amendment was *rejected*.

Ms. Spilka and Mr. Ross moved that the proposed new text be amended in section 2, in item 1410-0010, by inserting after the words "department of veterans' services" the following words:- "provided that not less than $30,000 shall be expended for the Veterans' Oral History Project at the Morse Institute Library in Natick"; and by striking out the figures "$2,503,520" and inserting in place thereof the figures "$2,533,520".
The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by inserting after section 132, the following new section:- "SECTION X. Effective July 1, 2014, all dental insurance claims filed in the Commonwealth of Massachusetts shall also be filed with the All Payer Claims Database maintained by the Center for Health Information and Analysis, so that the Center may conduct a study relative to the use of mercury in dental amalgam".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:- "SECTION XX. Section 33 of chapter 152 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the words 'four thousand dollars' and inserting in place thereof the following words:- eight times the average weekly wage in the commonwealth as determined under M.G.L. c. 151A, section 29(a)."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 4590-0915, by adding at the end thereof the following:- "; provided further, that the Massachusetts hospital school shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION__. The department of children and families shall file quarterly reports on the number of children within the care and custody of the department whose whereabouts are unknown. Said report shall be filed with the clerks of the house and senate and the joint committee on children, families and persons with disabilities."
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 4513-1130, by inserting after the word "hotline" the following: "; provided further, that no less than $75,000 be allocated for the Katie Brown Educational Program for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence"; and by striking out the figure "$5,752,078" and inserting in place thereof the figure:- "$5,827,078".
The amendment was *rejected*.

Ms. Spilka, Messrs. Michael O. Moore, Joyce, Kennedy and Barrett and Ms. Lovely moved that the proposed new text be amended in section 2, in item 5920-3000, by striking out the figure "$52,433,705" and inserting in place thereof the following figure:- "$54,933,705".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 4512-0200, by adding at the end thereof the following:- "provided that not less than $100,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts"; and by striking out the figures "$88,827,334" and inserting in place thereof the figures "$88,927,334".
The amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting at the end thereof the following:- "provided further, that not less than $150,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services".
The amendment was *rejected*.

Messrs. Downing and Humason moved that the proposed new text be amended in section 2, in item 4590-0250, by striking the figure "$12,378,145" and inserting in place thereof the following figure:- "13,878,145".
The amendment was *rejected*.

Mr. Keenan, Ms. Donoghue, Ms. Forry and Messrs. Downing, Montigny and Michael O. Moore moved that the proposed new text be amended in section 2, by striking out item 4510-0110 and inserting in place thereof the following item:-
"4510-0110 For community health center services; provided, that not less than the amount appropriated in item 4510-0110 of section 2 of chapter 38 of the acts of 2013 shall be expended on a statewide program of technical assistance to community health centers to be provided by a statewide primary care association qualified under Section 330A(f)(1) of the Public Health Service Act, as codified at 42 USC 254c(f)(1)……..…… $2,000,000".
The amendment was *rejected*.

Messrs. Keenan, Michael O. Moore, Brownsberger and Lewis, Ms. Spilka, Mr. Barrett and Ms. Creem moved that the proposed new text be amended in section 2, in item 4590-0300, by striking out item 4590-0300 and inserting in place thereof the following:-
"4590-0300 For smoking prevention and cessation programs; provided that funds may be expended from this item to support compliance checks by town, city and regional boards of health or health officials to enforce regulations relative to tobacco products and other substances that pose an imminent hazard to the public health……$9,000,000".
The amendment was *rejected*.

Mr. Finegold moved that the proposed new text be amended in section 2, in item 4590-0915, by striking out the figure "$148,563,102" and inserting in place thereof the following figure:- "$149,560,872".
The amendment was *rejected*.

Messrs. Keenan, Barrett and Brownsberger moved that the proposed new text be amended in section 2, in item 4800-0015, by striking the figure "$74,637,692 and inserting in place thereof the following figure "$63,717,692"; and by inserting the following new line item:
"4800-1200 For the AA and DD object class costs of the department's attorneys; provided that funds shall mitigate attorney caseloads in those areas furthest from the statewide weighted caseload standard and toward achieving an attorney caseload ratio of 60 to 1 statewide; and provided further, that only attorney/employees in bargaining unit 6 as identified in the Massachusetts personnel administrative reporting and information system shall be paid form thus item……..…$10,920,000".
The amendment was *rejected*.

Mr. Keenan, Ms. Candaras, Mr. Welch, Ms. Donoghue and Mr. Joyce moved that the proposed new text be amended in section 2, in item 4590-0915, by striking the figure "$148,563,102" and inserting in place thereof the figure:- "$150,560,872".
The amendment was *rejected*.

Messrs. Finegold and Michael O. Moore moved that the proposed new text be amended in section 2, in item 4000-0700, by inserting after the word "goals;" the following:- "Provided further, that $45,000,000 shall be expended from this item, or item 4000-0500 if necessary, to achieve maximum federal financial participation, to enhance the ability of hospitals and community health centers to serve populations in need more efficiently and effectively; provided further, that the executive office shall maximize federal reimbursements for state expenditures made to these providers".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting the following:- "provided further that as an initial step toward achieving parity in reimbursement rates for behavioral health services, EOHHS shall provide no later than October 1, 2014 an additional $7 million increase to reimbursement rates for hospital-based inpatient behavioral health services in addition to other customary payment rate adjustments to hospital reimbursement methodologies; and provided further an additional $7 million shall be used to increase reimbursement rates in addition to other customary payment rate adjustments to cover the cost of primary care and community-based

outpatient and diversionary behavioral health services;".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 4000-0300, by striking the words "take into consideration" and inserting in place thereof the following:- "expend no less than $60,000 to cover".
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 4800-0038, by inserting after the word "Amherst" the following: "provided further, that no less than $570,000 shall be expended for mental health clinics to serve school districts through the Partnership for Healthy Pathways (PHP) project"; and in said item, by striking out the figures "$260,165,865" and inserting in place thereof the figures "$260,735,865".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 1410-0012, by adding at the end thereof: "provided further, that not less than $75,000 shall be expended for Martha's Vineyard Community Services".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 4800-1400, by inserting at the end the following: "; provided further, that no less than $150,000 shall be expended for Portal to Hope in the City of Everett"; and by striking the figures "$23,201,437" and inserting in place thereof the figures "$23,351,437".
The amendment was *rejected*.

Messrs. Hedlund and Michael O. Moore moved that the proposed new text be amended in section 2, in item 4800-0038, by inserting after "County;" the following: "provided further, that not less than $50,000 shall be expended to the Weymouth teen center to provide job skills training, remedial education services, and to promote a social service program promoting growth and social welfare;".
The amendment was *rejected*.

Ms. Chandler, Messrs. Lewis and Michael O. Moore, Ms. Candaras, Ms. O'Connor Ives, Ms. Forry, Messrs. Joyce, DiDomenico and Kennedy, Ms. Jehlen and Mr. Barrett moved that the proposed new text be amended in section 2, in item 4000-0300, "provided that $500,000 be provided for the work of the Massachusetts Unaccompanied Homeless Youth Commission to determine the scope of need among unaccompnaied youth and young adults ages 24 and under who are experiencing homelessness and to identify and implement potential models for appropriate service delivery to unaccompanied homeless youth in urban, suburban and rural areas of the Commonwealth"; and by striking out the figures "89,446,479" and inserting in place thereof the figures "89,946,479".
The amendment was *rejected*.

Messrs. Kennedy and Michael O. Moore moved that the bill be amended by inserting after section xx the following new section:
"SECTION (a) Section 2GGGG of chapter 29 is hereby amended by striking out the words 'Distressed Hospital', and inserting in place thereof the following words:- , Distressed Hospital and Distressed Community Health Center.
(b) clause (c) of said Section 2GGGG is hereby amended by adding inserting the following words after subsection (6):-, and (7) to strengthen the primary care provider network.
(c) clause (d) of said Section 2GGGG is hereby amended by striking out the words 'The commission shall annually award a grant by a competitive grant process to qualified acute hospitals", and inserting in place thereof the following words:- , The commission shall annually award a grant by a competitive grant process to qualified acute hospitals and community health centers'.
(d) clause (e) of said Section 2GGGG of chapter 29, is hereby amended by striking out the words 'acute hospitals', and inserting in place thereof the following words:- , acute hospitals and community health centers.
(e) Section 2GGGG of chapter 29 is hereby amended by striking out the words 'qualified acute hospitals', in each instance, and inserting in place thereof, in each instance, the following words:- , qualified acute hospitals and community health centers."
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended by inserting after section xx the following new section: "SECTION XXX. Section 286 of chapter 224 of the acts of 2012, is hereby further amended by striking out '2017' and inserting in place thereof the following, '2020'."
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 4401-1000, by inserting at the end thereof the following:- "provided further, that a $80 per month transportation allowance shall be paid to reimburse recipients who incur transportation costs to participate in education, training or work activities approved by the department".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the bill be amended in section 2, in item 1599-0200, by inserting at the end thereof the following:- "; and provided further that the department shall not close or reduce the funding of a sheltered workshop until all persons currently served by that workshop voluntarily accept community placement".
The amendment was *rejected*.

Messrs. Rush, Lewis and Donnelly moved that the proposed new text be amended in section 2, in item 5911-1003, by adding at the end thereof the following: "provided further that not less than $20,000 shall be expended for a qualified Smith-Magenis Syndrome professional to assist the service needs of Smith-Magenis Syndrome patients".
The amendment was *rejected*.

Mr. DiDomenico and Ms. Forry moved that the proposed new text be amended in section 2, in item 1410-0010, by adding the following: "; provided further, that not less than $90,000 shall be expended for support services for a permanent housing program for homeless veterans located in Chelsea, Massachusetts"; and by striking out the figures "$2,810,361" and inserting in place thereof "$2,900,361".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 4125-0100, by inserting after the word "hearing" the following:- "; provided that at least $100,000 shall be expended for a pilot program to establish a specialized community health workers peer-to-peer model to improve hearing health"; and by striking out the figure "$5,822,553" and inserting in place thereof the figure "$5,922,553".
The amendment was *rejected*.

Ms. Chandler, Mr. Michael O. Moore, Ms. Creem and Mr. Barrett moved that the proposed new text be amended in section 2, in item 4120-6000, by striking out the figures "$15,659,292" and inserting in place thereof the following figures "$17,659,292,".
The amendment was *rejected*.

Mr. Welch moved that the proposed new text be amended in section 2, in item 4513-1111, by inserting after the word "Dartmouth" the following words:- "; provided further that not less than $100,000 shall be expended for the Cogic Family Services' Fit Body and Soul Program in Springfield"; and by striking out the figure "$3,342,958" and inserting in place thereof the following figure:- "$3,442,958".
The amendment was *rejected*.

Mr. Rosenberg moved that the proposed new text be amended by inserting the following new section:-
"SECTION __. Mass Health and any commercial insurer that insures Mass Health subscribers shall implement regulations to provide follow-up care for external sound processor replacements and upgrades, parts and accessories, and appropriate batteries to patients with external cochlear implant processors, consistent with the provisions of the Affordable Care Act of 2010. This section shall be effective as of September 30, 2014."
The amendment was *rejected*.

Mr. Keenan, Ms. Jehlen, Mr. Eldridge, Ms. Spilka, Ms. Creem, Messrs. Brownsberger and Barrett, Ms. Forry and Mr. Montigny moved that the proposed new text be amended in section 2, in item 4800-1400, by striking out the figure "$23,201,437" and inserting in place thereof the figure:- "$26,900,000".
The amendment was *rejected*.

Messrs. Keenan, Rush and Hedlund, Ms. O'Connor Ives and Messrs. Pacheco, DiDomenico, Tarr and Montigny moved that the proposed new text be amended in section 2, in item 1410-0400, by striking out the figure "$74,632,168" and inserting in place thereof the following:- "$80,482,168"; and by adding at the end thereof the following section:-
"Chapter 115 Section 6B of the General laws is hereby amended by in lines 18, 26 and 33 by striking out the figures '$2,000' and inserting in place thereof the following figures '$2,500'."
The amendment was *rejected*.

Messrs. Keenan and Donnelly, Ms. Creem and Mr. Lewis moved that the proposed new text be amended in section 2, in item 4516-1000, by inserting after the words "treatment services;" the following:- "provided further, that not less than $2,000,000 shall be expended on a planning study by the department to examine the feasibility of a new state public health laboratory and the investment needed to define the scope of the proposed project, with such study examining the following: (i) identification of the needs and technical requirements for a new public health laboratory facility linked to state hospital capacity; (ii) overall laboratory and office space needs; (iii) site constraints and opportunities; (iv) site development and construction costs; (v) scope of work for final building design, permit requirements and other technical concerns;"; and by striking the figure "$12,994,471" and inserting in place thereof the figure "$14,994,471".
The amendment was *rejected*.

Mr. Keenan, Ms. Chang-Diaz, Ms. Jehlen, Messrs. Michael O. Moore and DiDomenico, Ms. Creem, Messrs. Brownsberger and Eldridge, Ms. Forry and Mr. Montigny moved that the proposed new text be amended in section 2, in item 4530-9000, by striking out the figure "$2,548,742" and inserting in place thereof the figure "$3,000,000".
The amendment was *rejected*.

Messrs. Keenan and Donnelly, Ms. Forry and Messrs. Joyce, Pacheco and Michael O. Moore moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Section 13 of chapter 176O of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following subsection:-
(e) for any grievance involving a denial of coverage for mental health services, including behavioral health and substance abuse disorder services, the carrier shall provide to the insured, and to the insured's authorized representative if any, in addition to all other notices required under this chapter, a statement certifying and specifically describing the following:
(i) That the carrier, or the carrier's utilization review organization or other subcontracted entity, denied coverage in compliance with applicable state parity requirements for providing coverage on a nondiscriminatory basis as defined at Chapter 80 of the Acts of 2000;
(ii) The quantitative and non-quantitative treatment limitations applied during review, and how said limitation criteria comply with state and federal parity regulations, including those codified at 42 U.S. Code § 300gg–26, and regulations implemented pursuant to section 8K of chapter 26 of the General Laws; and
(iii) A certification that the carrier's claim processing and utilization review methods complied with the above parity requirements."
The amendment was *rejected*.

Messrs. Keenan and Donnelly, Ms. Forry, Messrs. Joyce and Pacheco moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __: Section 113 of chapter 58 of the acts of 2006 is hereby amended by inserting after the first sentence the following sentence:-
'Managed care organizations shall be required to file with MassHealth any contracts or subcontracts for the management and delivery of behavioral health services by specialty behavioral health organizations to MassHealth members, and MassHealth shall disclose such contracts upon request.'."
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting after "services;" the following: "provided further, that not less than $100,000 shall be expended for Project Interface, on the South Shore in the communities of Cohasset, Duxbury, Hanover, Hingham, Kingston, Marshfield, Norwell, Pembroke, and Scituate;".
The amendment was *rejected*.

Mr. Donnelly, Ms. Creem, Ms. Chang-Diaz and Messrs. Lewis, Welch, Brownsberger and Barrett moved that the proposed new text be amended in section 2, in item 4516-1000, by striking out the figure "$12,994,471" and inserting in place thereof the following figure:- "13,384,426".
The amendment was *rejected*.

Mr. Keenan, Ms. Spilka, Messrs. Lewis, Joyce, Donnelly and DiDomenico, Ms. Creem, Ms. Jehlen, Mr. Hedlund, Ms. Candaras, Mr. Eldridge, Ms. O'Connor Ives and Messrs. McGee, Pacheco and Montigny moved that the proposed new text be amended by inserting after section __, the following new sections:-
"SECTION _. Subsection (2A) of section 23 of chapter 32 of the General Laws, as so appearing, is hereby amended by striking out the word 'nine', in line 179, and inserting in place thereof the following word:- 'eleven'; and subsection (2A) of said section 23 of said chapter 32 as so appearing, is hereby further amended by inserting after the word "board,", in line 181, the following words:- 'the Secretary of the Commonwealth or a designee, the president of the Massachusetts Association of Contributory Retirement Systems or a designee,'."
The amendment was *rejected*.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 1410-0250, by adding at the end thereof the following:- "provided further, that not less than $220,000 shall be obligated for a contract with the Soldier On shelter located in Town of Leeds".
The amendment was *rejected*.

Ms. Forry and Messrs. DiDomenico and Joyce moved that the proposed new text be amended in section 2, in item 4510-0110, by inserting after "services" the following:- "; provided further, that $475,000 be expended on the Design Development and Construction Document Phases of the Seawall Inpatient Detox Building Renovation Project at the Dimock Center in Roxbury; and by striking out the figure "$1,037,840" and inserting in place thereof the following figure:-"$1,512,840.00".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 4513-1111, by inserting after the words "maintenance of the statewide lupus database;" the following words:- "(xii) tick-borne illness prevention and education"; by adding at the end thereof the following: "provided that $100,000 shall be appropriated to fund a state-wide program for tick-borne illness prevention and education"; and by striking out the figure "$3,342,958" and inserting in place thereof the figure "$3,442,958".
The amendment was *rejected*.

Ms. Chandler moved that the proposed new text be amended in section 2, in item 4000-0700, by striking the words "April 1, 2015" and inserting in place thereof the words:- "January 1, 2015"; and by striking the figures "$2,347,212,322" and inserting in place thereof the figures "$2,360,872,078".
The amendment was *rejected*.

Mr. DiDomenico, Ms. Chang-Diaz, Mr. Barrett, Ms. Lovely, Mr. Wolf, Ms. O'Connor Ives, Ms. Forry and Mr. Michael O. Moore, Ms. Creem, Messrs. Keenan, McGee, Timilty and Lewis moved that the proposed new text be amended in section 2, in item 4513-1020, by striking the figure "27,420,583" and inserting in place thereof the following figure: - "28,220,583".
The amendment was *rejected*.

Messrs. Rush, Ross and Michael O. Moore, Ms. Forry, Mr. Keenan, Ms. Creem and Messrs. DiDomenico and Brownsberger moved that the proposed new text be amended in section 2, in item 4510-0810, by striking out the figure "$3,554,426" and inserting in place thereof the following figure:- "$4,100,000".
The amendment was *rejected*.

Ms. Forry, Ms. Lovely, Messrs. Timilty and DiDomenico, Ms. O'Connor Ives, Messrs. Wolf, Michael O. Moore, Brownsberger, Barrett and McGee, Ms. Creem and Messrs. Finegold and Humason moved that the proposed new text be amended in section 2, in item 7004-0101, by inserting after "risk" the following:- "; provided further that no less than $300,000 shall be expended for the Playspace Program operated by Horizons for Homeless Children"; and by striking out the figures "136,946,602" and inserting in place thereof the figures "137,246,602".
The amendment was *rejected*.

Ms. Forry and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, by inserting after item 4000-0050, the following item:-
"4000-0265 For a primary care workforce development and loan forgiveness grant program at community health centers, for the purpose of enhancing recruitment and retention of primary care physicians and other clinicians at community health centers throughout the Commonwealth; provided, that the grant shall be administered by the Massachusetts League of Community Health Centers in consultation with the secretary of the executive office of health and human services and relevant member agencies; provided further, that the funds shall be matched by other public and private funds; and provided further, that the League shall work with said secretary and said agencies to maximize all sources of public and private funds……..… $500,000".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 4000-0005, by inserting after the word "grants for fiscal year 2014", the following words:- "; provided further that not less than $200,000 be expended to the South End Community Center's Community Youth Corps Program".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 1410-0250, by inserting after the word "housing" the following words:- "; provided further that not less than $126,975 shall be expended for the Springfield Bilingual Veteran Outreach Center for transitional housing in Springfield".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 1410-0012, by inserting after the words "families of the veterans" the following words:- "; provided further that not less than $200,000 shall be expended for the Springfield Bilingual Veterans Outreach Center".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 1410-0012, by inserting after the words "families of the veterans" the following words:- "; provided further that not less than the amount of $300,000 shall be expended for the Springfield Partners for Community Action's Veterans First Program to provide outreach services to Veteran's in the Western Massachusetts Region, including Berkshire, Franklin, Hampden, and Hampshire Counties".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 4000-0005, by inserting after the words "grants for fiscal year 2014", the following words:- "; provided further that not less than $200,000 shall be expended to the to the Martin Luther King, Jr. Family Services, Inc. to provide youth development and violence prevention services to at-risk youth".
The amendment was *rejected*.

Messrs. Finegold, Brownsberger and DiDomenico, Ms. Donoghue and Mr. Lewis moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. The Executive Office of Health and Human Services shall set rates for residential care facilities (rest homes) effective July 1, 2014 using costs from 2010. Provided further that no residential care provider's rate shall be less than its rate effective June 30, 2014."
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting after "clients" the following:- "; provided further, that not more than $150,000 shall be expended for ProjectRIGHT's substance abuse/trauma prevention initiative in the Grove Hall area of Boston"; and by striking out the figures "$88,827,334" and inserting in place thereof the figures "$88,977,334".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4510-0110, by inserting at the end thereof the following:- "; provided, that no less than $250,000 shall be allotted for the operation and implementation of the South Boston Community Health Center's Youth Ambassador Program and South Boston Leadership Initiative"; and by striking out the figure "$1,037,840" and inserting in place thereof the following figure: "$1,537,593".
The amendment was *rejected*.

Ms. Spilka, Messrs. Eldridge and Michael O. Moore, Ms. Donoghue, Ms. Forry, Mr. Kennedy and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, by striking out the text and inserting in place thereof the following item:-
"4800-0030 For the continuation of local coordination of services provided by lead agencies through purchase-of-service contracts including flex services; provided, that funding shall only be expended in the MM object class.....$10,300,000".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following language at the end thereof:- "; provided further, that not less than $125,000 shall be expended as grants to the Union of Minority Neighborhoods"; and by striking the figure "$10,933,979" and insert in place thereof the figure "$11,058,979".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting after "organizations" the following:- "; provided, that no less than $400,000 shall be expanded for the Urban League of Eastern Massachusetts"; and by striking out the figures "$750,000" and inserting in place thereof the figures "1,150,000".
The amendment was *rejected*.

Messrs. Rodrigues, Montigny, Timilty, Ross, Joyce and Kennedy moved that the proposed new text be amended in section 2, in item 4800-0038, in line 17, by striking out the figure "$200,000" and inserting in place thereof the following figure:- "$400,000".
The amendment was *rejected*.

Messrs. DiDomenico, Wolf, Michael O. Moore, Joyce, Donnelly and Eldridge, Ms. Forry and Messrs. Brownsberger, Barrett and McGee moved that the proposed new text be amended in section 2, in item 4401-1000, by striking the language "provided further, that not less than $130,811 shall be expended for programs operated through the office for refugees and immigrants;" and inserting in place thereof the following language: "provided further, that not less than $794,000 shall be expended for contracts entered into with the Massachusetts Office of Refugees and Immigrants with whom the department of transitional assistance entered into service agreements within fiscal year 2014;" and by striking out the figures "$4,403,855" and inserting in place thereof the figures "$5,067,044".
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 4000-0300, by adding at the end thereof the following:- "provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of Chapter 118E of the General Laws, the executive office shall make a supplemental payment to any acute care pediatric hospital and pediatric specialty unit in the Commonwealth, above base rates, to compensate for high-

complexity pediatric care in an amount not less than the amount appropriated in Chapter 38 of the Acts of 2013".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 4000-0300, by adding at the end thereof the following:- "provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008".
The amendment was *rejected*.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 4590-1507, "provided further, that not less than $ 50,000 shall be expended for the Dennison Memorial Community Center New Bedford".
The amendment was *rejected*.

Ms. Chandler and Mr. Tarr moved that the proposed new text be amended by inserting after section___, the following new section:-
"SECTION___. The Department of Public Health is hereby directed to develop and implement a 'Prescription Medication Redistribution Program' in which authorized, qualified medical professionals working in hospitals, healthcare centers, clinics, hospice institutions, nursing homes, rehabilitation facilities, pharmacies shall collect safe, unused prescription medications that are no longer needed by patients for whom they are prescribed and establish standards to redistribute them to qualified patients unable to afford the cost of medications for conditions for which they have been legally prescribed by a prescribing physician."
The amendment was *rejected*.

Messrs. DiDomenico, Eldridge and Wolf, Ms. Chang-Diaz, Ms. Forry and Messrs. Michael O. Moore, McGee and Barrett moved that the proposed new text be amended in section 2, in item 4512-0103, by striking out the figure "$32,109,847" and inserting in place thereof the figure "$34,109,847".
The amendment was *rejected*.

Mr. Lewis moved that the proposed new text be amended in section 2, in item 5911-1003, in by striking out the figure "64,962,455" and inserting in place thereof the figure:- "69,962,455".
The amendment was *rejected*.

Messrs. Lewis and DiDomenico moved that the proposed new text be amended in section 2, in item 4000-0050, by striking out the figures "$2,000,000" and inserting in place thereof the the following figure:- "2,249,928".
The amendment was *rejected*.

Mr. Lewis, Ms. Candaras, Mr. Michael O. Moore, Ms. Spilka, Ms. Jehlen, Mr. DiDomenico, Ms. Forry and Messrs. Brownsberger, Joyce and Kennedy moved that the proposed new text be amended in section 2, inserting the following new section:-
"SECTION X. section 1. Notwithstanding any general or special law to the contrary, the Executive Office of Health and Human Services shall enter into performance-based contracts with organizations and agencies to provide housing and support services to address the needs of unaccompanied homeless youth. In entering into such contracts, the Executive Office of Health and Human Services shall take into consideration the recommendations of the special commission on unaccompanied youth homelessness on identifying, connecting, and serving unaccompanied youth in general, as well as unaccompanied youth under the age of 18 and youth who are lesbian, gay, bisexual, or transgender, in particular. Programs funded under this Act shall provide a continuum of housing options for this population provided on a voluntary basis in conjunction with wraparound support services, which shall include but not be limited to: emergency shelter, 'kinship' home placements, short term housing and 'Transition to Independent Living' programs. The funded programs shall provide unaccompanied homeless youth with a stable out-of-home placement and help to reunite the youth with the youth's parent or legal guardian if family reunification is in the youth's best interest, and help to create educational and residential stability. Additional support services funded through these contracts may include but are not limited to: individual, family and group counseling; access to medical, dental and mental health care; education and employment services; case management, advocacy and referral services; independent living skills training; and provision of basic needs.
section 2. As used in this Act, 'unaccompanied homeless youth' means a person 24 years of age or younger who is not in the physical custody or care of a parent or legal guardian and who lacks a fixed, regular and adequate nighttime residence. 'Fixed, regular and adequate nighttime residence' means a dwelling at which a person resides on a regular basis that adequately provides safe shelter, sufficient for meeting both the physical and psychological needs typically met in home environments. 'Fixed, regular and adequate nighttime residence' does not include a publicly or privately operated institutional shelter designed to provide temporary living accommodations; transitional housing; a temporary placement with a peer, friend, or family member who has not offered a permanent residence, residential lease or temporary lodging for more than 30 days; or a public or private place not designed for, nor ordinarily used as, a regular sleeping accommodation for human beings. 'Homeless youth' does not include a person incarcerated or otherwise detained under federal or state law.

section 3. The Executive Office of Health and Human Services shall establish requirements and shall contract for programs that ensure that services, as specified by this Act, are provided to homeless youth in all urban, suburban and rural areas of the state in an appropriate and responsible manner.
section 4. The Executive Office of Health and Human Services shall monitor organizations receiving funds under this Act to ensure that appropriate and high-quality services are being delivered to homeless youth, shall collect common data and outcome measures from these organizations, and shall file reports with the Clerks of the House of Representatives and the Senate, the Joint Committee on Children, Families, and Persons with Disabilities, the House and Senate Committees on Ways and Means and the Office of the Child Advocate by December 31 of each year regarding the data collected from the organizations and agencies, the incidence of youth homelessness in Massachusetts, and the status of and any change in housing, residential stability, educational stability and outcomes and well-being of homeless youth in the Commonwealth."
The amendment was *rejected*.

Ms. Chandler, Messrs. Lewis and Michael O. Moore, Ms. Spilka, Mr. Donnelly, Ms. Creem, Ms. Chang-Diaz, Ms. Forry, Mr. Joyce and Ms. Lovely moved that the proposed new text be amended in section 2, in item 4000-0700, by striking out the words "provided further, that the executive office shall maintain full-year coverage for adult dental fillings; and provided further, that the executive office shall implement adult denture coverage not later than April 1, 2015" and inserting in place thereof the following words:- "provided further that no less than $67,693,162 shall be shall be expended for dental services for adults that were included in its state plan or demonstration program in effect on January 1, 2002 and the dental services that were covered for adults in the MassHealth basic program as of January 1, 2002"; and by striking the figure "$2,347212,322" and inserting in place thereof the following figures "$2,414,905,484".
The amendment was *rejected*.

Ms. Spilka, Messrs. Eldridge, Lewis and Rodrigues, Ms. Creem, Ms. Lovely, Messrs. Michael O. Moore, Welch and Brownsberger, Ms. Forry, Messrs. Wolf and Keenan, Ms. Donoghue, Messrs. Montigny and McGee, Ms. Jehlen and Messrs. Finegold and Tarr moved that the proposed new text be amended in section 2, in the item 4120-0200, by striking out the figure "$5,630,018" and inserting in place therof the following figure: - "$6,380,018".
The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 4000-0600, by adding after the word "income" the following words:-"provided further, that funding from this item shall be provided for the purpose of recruitment and retention of home health nurses in accordance with 114.3 CMR 50.00, and that said funds authorized herein shall be restorative to said regulation prior to its amendment made in accordance with M.G.L. Chapter 29, Section 9C and effective December 1, 2008, and shall be in addition to any amount appropriated in this item for the purpose of providing Title XIX service to patients; and provided further that the fund authorized herein shall be eligible for federal financial participation".
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 2, in item 1410-0010, by inserting after section __, the following new section:- "provided further, that not less than $100,000 shall be expended for Honor Flight New England"; and by striking out the figures "$2,810,361" and inserting in place thereof the figures "2,910,361".
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended by inserting after section__, the following new section:- "SECTION ___: Section 1. The first paragraph of section 2 of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after the second sentence the following 2 sentences:-
The board shall require that applicants for licensure, who are engaged in direct patient care, demonstrate that their practice utilizes digitized patient-specific clinical information. Physicians licensed pursuant to this chapter, whose patient records are not digitized, shall be required to demonstrate to the board familiarity with the use of digitized records in comprehensive patient care.
Section 2. Section 108 of chapter 224 of the acts of 2012 is hereby repealed.
Section 3. Section 299 of chapter 224 of the acts of 2012 is hereby repealed.
Section 4. This section shall take effect on January 1, 2015."
The amendment was *rejected*.

Ms. Lovely and Messrs. Donnelly and Joyce moved that the proposed new text be amended in section 2, in item 5046-0000, by striking out the figure "357,569,145" and inserting in place thereof the following figure: "$359,345,119".
The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 1599-6903, by striking out the figure "$15,013,791" and inserting in place thereof the following figure: "$25,181,687".
The amendment was *rejected*.

Ms. Lovely, Messrs. Keenan and Joyce and Ms. Forry moved that the proposed new text be amended in section 2, in item 4512-0200, by adding at the end thereof the following: "provided that not less than $400,000 shall be expended for integrated treatment and stabilization services for individuals and families with co-occurring substance abuse and mental health disorders".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended by adding at the end thereof the following section: "SECTION XXX. The office of Medicaid shall implement a process for the development of Medicaid managed care capitation rates in a manner that is fair and transparent and provides sufficient detail regarding the development of rate adjustment factors and assumptions. The MassHealth managed care rate setting methodology and assumptions shall be in accordance with sound actuarial methods and processes and shall include at a minimum the following elements: (1) utilize the most current available encounter date, (2) provide a clearly documented summary for developing managed care organization rates, (3) provide information describing the calculations used in calculating trends, (4) provide information describing the calculations used in calculating the maximum allowable cost adjustment, (5) provide detailed information describing the calculation of the managed care organizations risk scores, and (6) provide detailed information describing any adjustments used in developing managed care organization rates. MassHealth shall provide a detailed report to the managed care organizations by June 1 of each year that outlines in detail the calculations, data and methodology used in developing managed care organization rates. The managed care organizations shall provide written feedback to the office of Medicaid within 30 days of receipt of the rate development. The office of Medicaid shall issue the final rate development methodology and rates to the managed care organizations no later than August 1 of each year. The office of Medicaid shall file a report back to the house and senate committees on ways and means by October 1, 2014. The report shall detail the changes made to the managed care organization rate setting methodology and shall compare the Massachusetts methodology to methodologies, assumptions, data, calculations, transparency provisions of states."
The amendment was *rejected*.

Ms. Spilka, Messrs. Lewis, Barrett, Eldridge, Michael O. Moore, Keenan and Brownsberger, Ms. Creem, Messrs. Joyce and Kennedy and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 4120-4000, by inserting at the end thereof the following language:- "provided, that not less than $1,449,295 shall be expended for assistive technology devices and training for individuals with severe disabilities"; and by striking the figure "$8,933,598" and inserting in place thereof the figure "$9,433,598".
The amendment was *rejected*.

Ms. Lovely and Mr. Lewis moved that the proposed new text be amended in section 2, in item 4510-0600, by striking out the figure "$4,382,349" and inserting in place thereof the following figure:"$4,591,980".
The amendment was *rejected*.

Ms. Lovely and Mr. Brownsberger moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Chapter 224 of the Acts of 2012 in section 271, in lines 5 and 6, by striking out the words 'fiscal year 2015 and fiscal year 2016' and inserting in place thereof the words 'fiscal years 2015 through 2021'; and moves to further amend in section 307 by striking out the figure '2016' and inserting in place thereof the figure '2021'."
The amendment was *rejected*.

Ms. Lovely and Mr. Rush moved that the proposed new text be amended in section 2, in item 1410-0251, by adding at the end thereof the following: "provided that no less than $500,000 be expended for an elevator providing safe access for the Women Veterans' living quarters"; and by striking out the figures "$2,392,470" and inserting in place thereof the figures "2,892,470".
The amendment was *rejected*.

Ms. Lovely and Mr. McGee moved that the proposed new text be amended in section 2, by inserting after item 4510-0110 the following item:
"xxxx-xxxx For the department of public health to conduct a postpartum depression pilot program at community health centers in Holyoke, Jamaica Plain, Lynn, and
Worcester.....$200,000".
The amendment was *rejected*.

Messrs. Barrett and Joyce moved that the proposed new text be amended in section 2, in item 5911-1003, by striking out the figure "$64,962,455" and inserting in place thereof the following figure:- "$65,860,036".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 4530-9000, by adding at the end thereof the following words:- "provided further, that no less than $25,000 shall be provided to Girls Inc. of Lynn for teen

pregnancy prevention".
The amendment was *rejected*.

Ms. Creem, Messrs. Eldridge, Michael O. Moore and DiDomenico, Ms. Spilka, Messrs. Brownsberger and Barrett, Ms. Candaras, Messrs. Donnelly, Joyce and Kennedy and Ms. Lovely moved that the proposed new text be amended in section 2, in item 5920-3010, by striking out the figure"$4,000,000" and inserting in place thereof the following figure:- "$6,000,000"; by inserting after the words "1 regularly scheduled enrollment period per year" the following words:- "or a continuous open enrollment period;"; and in said item by inserting after the words "the costs associated with those services" the following words:- "for the period covering October 1, 2013 through September 30, 2014"; and by striking out the figures "$5,621,357" and inserting in place thereof the following figures:- "$8,621,357".
The amendment was *rejected*.

Ms. O'Connor Ives, Messrs. Tarr, Brownsberger and Humason moved that the proposed new text be amended in section 2, in item 5920-2025, by striking out the text and inserting in place thereof the following item:-
"5920-2025 For community-based day and work programs and associated transportation costs for adults; provided, that the department shall provide transportation on the basis of priority of need as determined by the department; and provided further, that the department shall not reduce the availability or decrease funding for sheltered workshops serving persons with disabilities who voluntarily seek or wish to retain such employment services ..... $173,662,848".
The amendment was *rejected*.

Messrs. Kennedy, DiDomenico, Joyce, Barrett, Rush, Keenan and Tarr moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting the following:- "provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of Chapter 118E of the General Laws, the executive office shall make a supplemental payment to any acute care pediatric hospital and pediatric specialty unit in the Commonwealth, above base rates, to compensate for high-complexity pediatric care in an amount not less than the amount appropriated for in Chapter 38 of the Acts of 2013".
The amendment was *rejected*.

Messrs. Barrett, Eldridge and Joyce and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 9110-1638, by inserting after item 9110-1633 the following item:
"9110-1638 For the provision of training to further the professional competencies of the workforce serving consumers of the home care program under section 4 of chapter 19A of the general laws; provided that eligible training recipients may include outreach workers, case managers, home care aides and protective services investigators.....$1,200,000".
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 4000-0500, by inserting at the end thereof the following:- ", provided further, that of the amount allocated in this line item, $16,000,000 shall be allocated for providers in the PCC mental health and substance abuse plan".
The amendment was *rejected*.

Mr. Barrett, Ms. Donoghue, Messrs. Michael O. Moore, Brownsberger and Joyce moved that the proposed new text be amended in section 2, in item 4800-0040, by striking out the figure "$44,610,551" and inserting in place thereof the following figure:- "$50,010,551".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the commonwealth, by and through the governor or the governor's designee shall formally request a federal waiver under Sections 1321(e) and 1332 of The Patient Protection and Affordable Care Act, Pub. L. 111-148 & 111-152 to return to the Health Connector Exchange established by chapter 58 of the acts of 2006. All negotiations with any federal agency concerning this waiver shall be conducted in consultation with the house and senate chairs and ranking minority members of the joint committee on health care financing. The governor or the governor's designee shall file a detailed report describing the waiver application and waivers received, along with all documentation, including, but not limited to, all related written and verbal responses from the department of health and human services, with the clerks of the senate and house not later than December 31, 2014. The governor shall report monthly to the joint committee on health care financing and the house and senate committees on ways and means on the status of the waiver request under this section."
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 4510-0710, by striking out the figure "$7,803,178" and replacing it with the following figure:- "$7,903,526".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, in item 4000-0300, by adding the following, "provided further that on or before December 31, 2014, not less than $250,000 shall be provided to Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to improve the access entry way for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Noble Hospital;".
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 4401-1000, by striking out the figure "$4,403,855" and inserting in place thereof the following figure:- "$7,403,855".
The amendment was *rejected*.

Ms. Jehlen, Ms. Forry and Ms. Spilka moved that the bill be amended in section 2, in item 4000-0600, by striking out the figure "$3,142,789,454" and inserting in place thereof the following figure:- "$3,179,589,454".
The amendment was *rejected*.

Messrs. Rosenberg, Downing and Welch moved that the proposed new text be amended in section 2, in item 7004-0102, by adding at the end thereof the following:- "provided further, that not less than $125,000 shall be expended for the Western Massachusetts Network to End Homelessness to implement the Opening Doors Strategic Plan to End Homelessness;".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. DiDomenico and Eldridge, Ms. Forry and Messrs. Keenan, Michael O. Moore and Montigny moved that the proposed new text be amended in section 2, in item 4590-1506, by striking out the figure "1,506,078" and inserting in place thereof the following figure:- "2,000,000".
The amendment was *rejected*.

Ms. Jehlen and Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting at the end thereof the following:- "provided further that not less than $1,300,000 shall be provided for the expansion of the existing Massachusetts Opioid Abuse Prevention Collaborative initiatives by making additional funding available to current grantees above current levels to further substance abuse prevention activities pursuant to strategic plans; and provided further, that not less than $1,300,000 shall be expended for new grantees in additional geographies to promote the statewide reach of the substance abuse prevention initiatives; and provided further, that to the greatest extent possible, federal funds such as those afforded by the Substance Abuse and Mental Health Administration should be explored to support said expansions of the program"; and by striking out the figure "$88,827,334" and insert in place thereof the following figure:- "$91,427,334".
The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended in section 2, in item 9110-9002, by adding at the end thereof the following, "provided further, that not less than $50,000 shall be expended for a one time grant to the city of Westfield;".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 4000-0500, by inserting at the end thereof the following:- "; provided further that $1,000,000 shall be expended to initiate health information technology improvements including but not limited to, provider connectivity, e-prescribing, patient portal, continuity of care document, data repository, dose tracker, new hardware and technicians at Milton Hospital".
The amendment was *rejected*.

Messrs. Ross, Tarr, Humason and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 2 of chapter 111M of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, in line 33, after the word 'penalty;' the following words:- provided, however, if during the course of a taxable year a taxpayer becomes unemployed and, as a result, loses health care coverage for the duration of that unemployed period, and that unemployed period is longer than 63 days, the taxpayer shall be exempt from the penalty for the duration of that unemployed period;."
The amendment was *rejected*.

Messrs. Eldridge and Barrett moved that the proposed new text be amended in section 2, in item 4400-1100, by striking out the figures "$63,334,508" and inserting in place thereof the figures "$65,334,508".
The amendment was *rejected*.

Messrs. Eldridge, Wolf, Barrett and DiDomenico moved that the proposed new text be amended by inserting after section X, the following new section: -
"SECTION X. The third paragraph of section 9 of chapter 118E of the General Laws is hereby amended by adding the following sentences:- Enrollees with a household income that does not exceed 100 per cent of the federal poverty guidelines shall only be responsible for copayments equal to those required of enrollees in the MassHealth program. No other premium, deductible, or other cost sharing shall apply to these enrollees. Enrollees with income that is over 100 percent of said poverty guidelines but that does not exceed 150 per cent of said guidelines shall have available to them at least one plan with no premium contribution.
SECTION X. Section 3 of chapter 176Q of the General Laws is hereby amended by striking out clause (b) and inserting in place thereof the following clause:–
(b) to determine each applicant's eligibility for purchasing insurance offered by the connector, and to establish eligibility criteria and determine eligibility for premium assistance payments or point of service cost-sharing subsidies for applicants at or below 300 per cent of the federal poverty guidelines, provided that individuals receiving premium assistance payments or point-of-service cost-sharing subsidies whose household income does not exceed 100 per cent of the federal poverty guidelines shall only be responsible for copayments equal to those required of enrollees in the MassHealth program, and no other premium, deductible or other cost sharing shall apply to these enrollees; provided further that individuals receiving premium assistance or point-of-service cost-sharing subsidies with income that is over 100 percent of said poverty guidelines but that does not exceed 150 per cent of said guidelines shall have available to them at least one plan with no premium contribution."
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 4512-0200, by adding at the end thereof the following:- "provided further, that no less than $50,000 shall be allocated for the Stanley Street Treatment and Resource Center in the city of Fall River"; and by striking out the figures "$88,827,334" and inserting in place thereof the figures: "$88,877,334".
The amendment was *rejected*.

Mr. Joyce and Ms. Flanagan moved that the proposed new text be amended in section 2, in item 5920-2010, by striking out the figure "$205,583,619" and inserting in its place the figure "$206,309,615".
The amendment was *rejected*.

Mr. Joyce and Ms. Lovely moved that the proposed new text be amended in section 2, in item 4000-0500, by striking the figure "4,792,819,941" and replacing it with the following: "4,802,829,941".
The amendment was *rejected*.

Mr. Joyce moved that the bill be amended by inserting the text if Senate document numbered 2202, relative to creating a cannabis commission.
The amendment was *rejected*.

Mr. Joyce, Ms. Spilka and Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 4000-0700, by inserting after the word "goals;" the following:- "and provided further, that effective October 1, 2014, the executive office shall update the chronic disease and rehabilitation hospitals inpatient per diem reimbursement rates using FY2011 operating and capital cost information for each hospital, in addition to other customary payment rate adjustments to chronic disease and rehabilitation inpatient hospital reimbursement methodologies".
The amendment was *rejected*.

Ms. Jehlen, Ms. Forry and Messrs. Brownsberger, Donnelly and Petruccelli moved that the proposed new text be amended in section 2, in item 4590-1507, by inserting at the end thereof the following:- "and provided further, that the department of public health shall award not less than $100,000 to the Center for Teen Empowerment, Inc."; and by striking out the figure "$3,050,000" and inserting in place thereof the figure:- "$3,150,000".
The amendment was *rejected*.

Messrs. Richard T. Moore and Joyce moved that the proposed new text be amended by inserting, after section xx, the following new section:-
"SECTION XX. Chapter 111 of the General Laws is hereby amended by inserting after section 78A the following section: Section 78B.
(a) The commissioner, the commissioner of the department of mental health, the director of Medicaid, the executive director of the group insurance commission and the executive director of the health policy commission, in consultation with representatives of hospitals, long term care facilities, outpatient facilities, primary care providers, community health centers, community mental health centers, consumer representatives, patients with chronic conditions and any other representatives deemed necessary, shall, subject to appropriation, develop a plan: (1) to reduce the incidence of chronic disease, including, but not limited to, chronic cardiovascular disease, cancer, stroke, chronic lung disease, chronic obstructive pulmonary disease, diabetes, arthritis, chronic metabolic disease and mental illness; (2) to improve chronic

care coordination in the commonwealth; and (3) for each type of health care facility and coordinated care organization including integrated care organizations, accountable care organizations, managed care organizations, and patient-centered medical homes to reduce the incidence and effects of chronic disease.
(b) At least 1 year after completion of the plan required in subsection (a), the commissioners and directors shall submit a bi-annual report to the governor, the chairs of the joint committee on public health, the chairs of the joint committee on mental health, the chairs of the joint committee on health care financing, and the clerks of the house and senate concerning chronic disease and implementation of said plan. The commissioners and directors shall make the report available on the departments' web sites not later than 30 days after submitting the report. The report shall include, but is not limited to: (1) a description of the chronic diseases that are most likely to cause a person's death or disability, the approximate number of persons affected by each chronic disease and an assessment of the financial effect of each disease on the commonwealth and on hospitals and other health care facilities; (2) a description and assessment of programs and actions that have been implemented by the departments or hospitals and other health care facilities to improve chronic care coordination and prevent disease; (3) the source and amount of funding received by the departments to treat persons with multiple chronic conditions and to treat or reduce the most prevalent chronic diseases in the state; (4) a description of chronic care coordination between the departments and hospitals and other health care facilities and among health care facilities to prevent and treat chronic disease; (5) detailed recommendations concerning actions to be taken by integrated care organizations, accountable care organizations, managed care organizations, patient-centered medical homes, hospitals and other health care facilities to reduce the effects of the most prevalent chronic diseases, including recommendations concerning: (i) ways to reduce hospital readmission rates, (ii) transitional care plans, (iii) drug therapy monitoring, (iv) collaborative drug therapy management, (v) comprehensive medication management as defined in section 3503(c) of the Affordable Care Act, section 935 of 42 U.S.C. 299b–35(c), to help patients with multiple chronic conditions achieve clinical and patient goals of therapy and improve clinical outcomes, (vi) adoption of quality standards that are publicly reported evidence-based measures endorsed through a multi-stakeholder process such as the National Quality Forum and (vii) patient self-management training; (6) identification of anticipated results from a hospital or other health care facility's implementation of the recommendations described in clause (5) of this subsection; (7) identification of goals for coordinating care and reducing the incidence of persons having multiple chronic conditions; and (8) an estimate of costs and other resources necessary to implement the recommendations described in clause (5) of this subsection."
The amendment was *rejected*.

Mr. Richard T. Moore and Ms. Spilka moved that the proposed new text be amended by inserting after section xx, the following new section:-
"SECTION XX. Notwithstanding any general or special law to the contrary, the department of public health shall implement a food labeling program for commercially caught, landed and sold saltwater fish including but not limited to: tuna, mackerel, swordfish, grouper, striped bass and bluefish. The label shall provide the consumer with information concerning the safety and risk factors of consumption of the fish based on toxin levels in the fish and their hazards to human health, in particular the health of young children, women of child-bearing age and pregnant women."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Notwithstanding or general or special law to the contrary, the inspector general shall conduct a review and provide the legislature with a report by December 31, 2014 outlining the financial impact of the failed health connector website. The review shall include a cost analysis of state funds expended for temporary coverage, including those funds that would have been reimbursed by the federal government had the Connector website been properly functioning. Further, the inspector general shall investigate all means of recouping such funds, including any legal and cost effective means of collecting funds under the commonwealth's contract with third-party vendors. The inspector general shall provide a report of its findings to the clerks of the house of representatives and senate, and the joint committee on health care financing."
The amendment was *rejected*.

Mr. Kennedy, Ms. Creem, Mr. Welch, Ms. Lovely and Mr. Tarr moved that the proposed new text be amended in section 2, in item 4120-4000, by adding the following:- "provided further, that $500,000.00 be expended for a DME reuse program to be administered by the State AT Act Program, MassMATCH, within the Massachusetts Rehabilitation Commission"; and by striking out the figure "$8,933,598" and inserting in place thereof the following figure:- "$9,433,598"."
The amendment was *rejected*.

Mr. Richard T. Moore moved that the proposed new text be amended by inserting, after section xx, the following new sections:-
"SECTION X. Section 13F of chapter 118E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking subsection (a) and inserting in place thereof the following subsection:-
'(a) For disproportionate share hospitals, the executive office shall establish rates that equal the financial requirements of

providing care to recipients of medical assistance, and further, the executive office shall classify as disproportionate share any geographically isolated hospital pursuant to chapter 224 of the acts of 2012 that provides inpatient and outpatient mental health services.'
SECTION X. Section 11 of chapter 176J of the General Laws, as so appearing is hereby amended by striking subsection (e) and inserting in place thereof the following subsection:-
'(e) In determining network adequacy under this section the commissioner of insurance may take into consideration factors such as the location of providers participating in the plan and employers or members that enroll in the plan, the range of services provided by providers in the plan and plan benefits that recognize and provide for extraordinary medical needs of members that may not be adequately dealt with by the providers within the plan network; and further, when calculating the tiering methodology for tiered network plans, the commissioner shall classify in the best tier any non–profit geographically isolated hospitals with a relative price as calculated by the center for health information and analysis of not greater than 1.1, and further, shall require any such hospital be an accepted provider in limited network products sold to members or employees who live or work in said hospital's primary and secondary service area.'."
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section ___,the following new section:-
"SECTION__. Section 1 of Chapter 176Q as appearing in the 2012 Official Edition is hereby amended in line 49 by striking the number '50' and inserting in place thereof the following number:- '75'."
The amendment was *rejected*.

Ms. Creem and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 4513-1026, by inserting after the words "Department of Elder Affairs" the following new words:- "; and provided further, that no less than $250,000 shall be expended for a grant program to address youth suicide and suicide behavior"; and by striking the figures "$3,866,719" and inserting in place thereof the figures:- "$4,116,719".
The amendment was *rejected*.

As previously stated the above amendments were considered as one and rejected.
Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION__. Chapter 139 of the Acts of 2012 is hereby amended by striking Section 226 in its entirety."
The amendment was *rejected*.

Messrs. Montigny and Michael O. Moore moved that the proposed new text be amended by inserting the text of Senate document numbered 2203, relative to human trafficking.
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended by inserting the following section:-
"SECTION XXXX. (a) Notwithstanding any general law or special law to the contrary, the department of energy resources shall expend an amount not to exceed $3,000,000 from the RGGI Auction Trust Fund established in section 35II of chapter 10 of the General Laws for a 1-time reimbursement to a municipality that has been negatively impacted by a reduction in property tax receipts from a dual coal and oil fired electric generating station due to a reduction in capacity factor, occurring after July 1, 2012; provided that ISO-NE has given approval for a non-price retirement for the generating station. The municipality shall be entitled to reimbursement under this section of an amount by which the tax receipts, including payments in lieu of taxes or other compensation, paid by the affected property owner of the electric generating station in tax year 2014 is less than the amount of the tax receipts paid by the electric generating station in 2013. Before reimbursement to a municipality under this section, the municipality and the affected property owner of the electric generating station shall negotiate in good faith payments in lieu of taxes or other compensation for subsequent years; but if the municipality and the affected property owner of the electric generating station have not negotiated in good faith payments in lieu of taxes and other compensation, then the facility's tax obligation shall be determined by an independent third party assessor paid by the facility but selected jointly by the municipality and the affected property owner of the electric generating station or, if they are unable to arrive at a joint selection, by the department of revenue."
After remarks, the amendment was adopted.

Messrs. Montigny and Tarr moved that the proposed new text be amended in section 2, in item 2330-0100, by adding the following words:- "Provided further, that not less than $450,000 shall be expended for a program of collaborative research by the Division of Marine Fisheries through the Marine Fisheries Institute, in collaboration with the School for Marine Science and Technology at the University of Massachusetts Dartmouth, that applies innovative technology to assess the biomass of fish, in the region managed by the New England Fishery Management Council".
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended by inserting after section 83, the following section:-
"SECTION 83A. Chapter 530 of the acts of 1991 is hereby amended by striking out section 2 and inserting in place

thereof the following section:-
SECTION 2. Said lease or leases shall be subject to such conditions and restrictions as may be deemed necessary and appropriate, and consistent with this act, by the commissioner of the division of capital asset management and maintenance in consultation with the department of conservation and recreation, and shall provide for fair and reasonable compensation from the city of Fall River."
After remarks, the amendment was adopted.

Messrs. Lewis and Joyce and Ms. Donoghue moved that the proposed new text be amended by inserting after section 86, the following section:-
"SECTION 86A. (a) There shall be a special commission to study and make recommendations concerning functional overlaps and other redundancies among state agencies and opportunities to promote efficiency and accountability in state government. The commission shall consist of the following members or their designees: (i) the house and senate chairs of the joint committee on state administration and regulatory oversight, who shall serve as co-chairs; (ii) the chair of the house committee on post audit and oversight; (iii) the chair of the senate committee on post audit and oversight; (iv) the house minority leader; (v) the senate minority leader; (vi) the state auditor; (vii) the assistant secretary of commonwealth performance, accountability and transparency; (viii) the state treasurer; and (ix) 2 members that shall be appointed by the governor.
(b) The commission shall identify ways to eliminate overlaps and redundancies among state agencies and make other recommendations as the commission considers appropriate with the goal of reducing costs to the commonwealth and enhancing the quality and accessibility of state services to the public. The commission shall consider merging or consolidating state agencies and programs if a merger would reduce costs without adversely impacting the quality of services. The commission shall also seek to identify opportunities to maximize revenues, such as federal grants and matching funds.
(c) The commission may hold hearings and invite testimony from experts and the public. The commission shall review and identify best practices learned from similar efforts in other states, including the state of Connecticut's Commission on Enhancing Agency Outcomes which submitted its final report on December 30, 2010.
(d) The agency head and staff of each state agency under consideration by the commission shall ensure that any data, information or materials that the commission requests for purposes of its review and deliberations are provided to the commission in a timely manner.
(e) Members of the commission shall be named and the commission shall begin its work within 60 days of the effective date of this act. The commission shall report to the general court the results of its investigation and study and 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 January 2, 2016. The clerks of the senate and house shall post the report on the website of the general court."
The amendment was adopted.

Mr. McGee, Ms. Forry and Messrs. Petruccelli and Keenan move that the proposed new text be amended by inserting after section 4, the following section:-
"SECTION 4A. Said chapter 3 is hereby further amended by adding the following section:-
Section 70. There shall be a permanent commission on the future of the metropolitan beaches to consist of 3 members of the senate, 1 of whom shall serve as co-chair of the commission and 1 of whom shall be the minority leader or the minority leader's designee; 3 members of the house of representatives, 1 of whom shall serve as co-chair of the commission and 1 of shall be the minority leader or the minority leader's designee; 1 member to be appointed by the secretary of environmental affairs or the secretary's designee; 1 member to be appointed by the commissioner of conservation and recreation or the commissioner's designee; 2 members to be appointed by the mayor of the city of Boston who shall be from the East Boston section of the city of Boston, the Dorchester section of the city of Boston or the South Boston section of the city of Boston; 6 members to be appointed by the chief executives or board of selectmen from the cities and towns of Hull, Nahant, Quincy, Revere, Lynn and Winthrop; 1 member to be appointed by the Boston Foundation; 1 member to appointed by the Greater Boston Chamber of Commerce; and 1 member to be appointed by the Boston University School of Public Management. The commission shall be under the jurisdiction of the department of conservation and recreation. The commission shall conduct an annual review of the state of metropolitan beaches which shall include a comprehensive study examining the existing maintenance, operational and infrastructure needs for those beaches including, but not limited to, any security and capital-intensive repairs necessary to ensure future recreational use of those beaches. The commission shall also examine best management practices and funding alternatives for each beach, including, but not limited to, public-private partnerships, non-profit entities or other financial means that shall ensure access, quality recreational activities, programming, and improved water quality and beautification efforts at any of those beaches. Said commission shall also analyze and make recommendations on alternatives and methods to improve access from metropolitan beaches to the Boston harbor islands.
For the purposes of this section, the beaches shall include, but not be limited to: Malibu beach, Constitution beach, Carson beach, City Point beach, M Street beach, Pleasure Bay, Savin Hill beach and Tenean beach in the city of Boston; Nantasket beach in the town of Hull; Nahant beach in the town of Nahant; Winthrop beach in the town of Winthrop; Wollaston beach, Pleasure Bay and Squantum Point park in the city of Quincy; Revere beach and Short beach in the city

of Revere; and Red Rock park and Lynn beach in the city of Lynn.
The commission shall hold annual hearings within close proximity to Boston harbor beaches to solicit testimony from interested stakeholders including but not limited to: the executive office of environmental affairs, the department of conservation and recreation, the Massachusetts Water Resources Authority, the Massachusetts Port Authority, the Massachusetts Bay Transportation Authority, the Boston Harbor Association, the Boston Harbor Island Alliance, Save The Harbor,Save The Bay, local municipalities, non-profit organizations, friends' groups and business and community leaders.
The commission shall submit a report containing its recommendations by filing the same with the clerks of the senate and house of representatives and the chairs of the joint committee on the environment, natural resources and agriculture annually, on or before June 1."
After remarks, the amendment was adopted.

Mr. Ross moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 44 of chapter 85 of the acts of 1994, as amended by section 50 of chapter 15 of the acts of 1996, as amended by section 19 of chapter 236 of the acts of 2002, as amended by section 76 of chapter 182 of the acts of 2008, as amended by section 22 of chapter 302 of the acts of 2008, as amended by section 14 of chapter 312 of the acts of 2008, as amended by sections 1 and 2 of chapter 164 of the acts of 2009, and as amended by sections 1 and 2 of chapter 67 of the acts of 2011, is hereby further amended by inserting after the words 'Stress House 1 at Neponset River Reservation' the following words:- Cochituate Headhouse at Lake Cochituate in Wayland."
After remarks, the amendment was adopted.

Messrs. Hedlund, Tarr, Ross and Humason moved that the proposed new text be amended by adding the following section:-
"SECTION XX. Chapter 40B of the General Laws is hereby amended by adding the following new section:
Section XX. The inspector general, in consultation with the attorney general shall enter into a contract with a third party for the purposes of auditing all affordable housing projects built through the comprehensive permit process since July 1, 1998 as outlined in sections 20 to 23, inclusive, of chapter 40B of the General Laws, as appearing in the 2008 Official Edition. The third party shall be hired through a competitive bidding process and meet minimum professional qualifications as determined by the inspector general's office.
All audits performed through this section shall be conducted in accordance with generally accepted auditing standards, and include, but not be limited to, a review of the submitted cost certification, agreements between the developer and the financing authority, purchase and sale agreements, any and all documentation relating to the real estate appraisal of the relevant property or properties, all reported expenses and revenues, all documentation regarding the purchase, sale or lease, or tall constructed units, and any other matter requested by the inspector general.
At the request of the third party, the inspector general's office may subpoena the production of all records, reports, audits, reviews, papers, books, documents, recommendations, correspondence, and any other data and material relevant to any matter under audit or investigation, in accordance with section 9 of chapter 12A of the General Laws, as so appearing."
After remarks, the amendment was adopted.

Messrs. Hedlund, Lewis, Michael O. Moore, Keenan and Wolf, Ms. Donoghue and Messrs. Tarr, Ross and Humason moved that the proposed new text be amended in section 2, as follows:
"xxxx-xxxx For the implementation or expansion of a grant program to provide financial assistance to municipalities for costs associated with participation in the Community Rating System (CRS) program for the National Flood Insurance Program (NFIP); provided that funding secured through this grant be limited to those floodplain management activities recognized by the Federal Emergency Management Agency (FEMA) as measures resulting in credit points toward premium discounts for policy holders, including but not limited to public information, mapping and regulations, flood damage reduction and flood preparedness ……..…… $150,000".
After debate, the amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 7002-0020, by striking out the figure "$1,500,000" and inserting in place thereof the following figure:- "$2,090,000".
The amendment was *rejected*.

Messrs. DiDomenico and Rush moved that the proposed new text be amended in section 2, in item 7008-0900 by inserting at the end the following: "; and provided further, that not less than $70,000 shall be expended for education programs at the USS Constitution Museum in Charlestown as a result of lost retained revenues pursuant to the federal government shutdown"; and by striking out the figures "$10,933,979" and inserting in place thereof the figures "$11,003,979".
The amendment was *rejected*.

Ms. Spilka and Messrs. Donnelly and Barrett moved that the proposed new text be amended in section 2, in item 7004-0108 by striking out the words "provided further, that a family that was terminated from the program or did not make a good faith effort to follow its housing stabilization plan during the term of its assistance shall be ineligible for benefits

under this item and item 7004-0101 for 24 months from the last date the family received assistance under this item and item 7004-0101, including housing stabilization and economic self-sufficiency case management services;" and inserting in place thereof the following words:- "provided further, that a family that was terminated from the rental assistance program or did not make a good faith effort to follow its housing stabilization plan during the term of its rental assistance shall be ineligible for benefits under this item and item 7004-0101 for 24 months from the last date the family received assistance under this item and item 7004-0101, including housing stabilization and economic self-sufficiency case management services; provided further, that a family that was terminated or did not make a good faith effort to follow its housing stabilization plan with regard to household assistance benefits, and who received appropriate stabilization services, may be ineligible for benefits under this item and item 7004-0101 for no more than 1 month for each $1000 of assistance actually received;".
The amendment was *rejected*.

Recess.

There being no objection at one o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at twenty-three minutes before 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 2015 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 considered.
Ms. Spilka and Messrs. Donnelly and Barrett moved that the proposed new text be amended in section 2, in item 7004-0101 by inserting at the end thereof the following:- "provided further, that alleged violations of rules governing emergency shelter, including hotels, that are not proven to threaten health or safety shall be excused for good cause; provided further, that the department shall not find a family in noncompliance based on such violations or based on alleged violations related to compliance or cooperation with rehousing plan requirements unless and until the family is found to violate such rules or requirements at least two times; provided further, that the department shall not terminate a family from shelter unless and until it has been found in noncompliance at least three times; provided further, that the department shall provide at least twenty-four hours advance notice before transferring a family to a new shelter location unless allowing the family to remain in its current placement will result in an imminent health or safety risk".
The amendment was *rejected*.

Messrs. Donnelly, Wolf and Lewis, Ms. Spilka, Messrs. Barrett, Keenan, DiDomenico and Eldridge, Ms. Creem, Ms. Forry, Ms. Chang-Diaz, Mr. Kennedy, Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended in section 2, in item 7004-0101, by inserting after the words "families who are in a housing situation where they are not the primary lease holder or who are in" the following new words:- "or within 24 hours of being in"; in said clause of said item, by inserting after the words "a housing situation not meant for human habitation and where there is" the following words:- "or would be"; and in said clause of said item, by inserting after the words "a substantial health and safety risk to the family that is likely to result in significant harm should the family remain in" the following words:- "or enter".
The amendment was *rejected*.

Ms. Lovely and Mr. Donnelly moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Chapter 23B of the General Laws is hereby amended by inserting after section 30 the following section:- Section 30A. (a) A hotel or motel that contracts with the department or an agent acting on behalf of the department to provide emergency housing assistance shall provide the same services under the same terms and conditions to individuals receiving benefits under section 30 as it provides to individuals who are staying at the location but are not under contract with the department.
(b) The department shall retain the right to cancel or not renew any contract, subject to applicable state laws and regulations, if the department has reasonable cause to believe that subsection (a) has been violated by a hotel or motel contracted by the department."
The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 7004-0102, by adding the following words: "provided, that not less than $200,000 be expended for the River House shelter in the city of Beverly"; and by striking the figures "$40,551,657" and inserting in place thereof the following figures:- "$40,751,657".
The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended in section 2, in item 7004-9033, by striking out the figure "$4,000,000" and inserting in place thereof the following figure:- "$5,125,000".
The amendment was *rejected*.

Ms. O'Connor Ives, Mr. Barrett, Ms. Candaras, Mr. Donnelly, Ms. Donoghue, Messrs. Downing and Humason, Ms. Lovely, Mr. Michael O. Moore, Ms. Spilka and Messrs. Welch, Wolf, Montigny and Finegold moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "; and provided further, that not less than $350,000 shall be expended for opening not fewer than 11 visitor information centers from Memorial Day to Columbus Day"; and by striking out the figure "$10,933,979" and inserting in place thereof the following figure:- "$11,283,979".
After remarks, the amendment was adopted.

Mr. Humason moved that the proposed new text be amended in section 2, in item 1410-1616, by inserting after the words "in the town of Spencer;" the following:- "and provided further, that not less than $50,000 shall be expended on a September 11, 2001 Freedom 104th Air Wing F-15 Monument and Memorial; provided further, that not less than $100,000 shall be expended on war memorials selected by the secretary through a competitive grant process; and provided further, that the secretary shall submit a report to the house and senate committees on ways and means not later than March 3, 2015 detailing all grants awarded under this item and the method used to distribute grant funds".
The amendment was adopted.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text 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 task force established to analyze the Common Core State Standards. The task force shall consist of the following: the commissioner of the department of elementary and secondary education, or a designee; 1 representative of the Massachusetts Teachers Association; 1 representative of the American Federation of Teachers; 1 representative of the Pioneer Institute; 1 representative of the Massachusetts Business Association for Education; 1 representative of the Association of Independent Colleges and Universities in Massachusetts; 1 representative of the Massachusetts Association of School Committees; 1 representative of the Massachusetts Association of School Superintendents; 1 representative of the Massachusetts Charter Public School Association; 1 representative of the New England Association of Schools and Colleges; and 1 representative of the Rennie Center for Education Research & Policy. The chair of the task force shall be chosen by a majority vote of the 11 members of the task force.
In its examination, the task force shall conduct an independent and unbiased review the merits of the Common Core State Standards, including but not limited to: (i) the rigor of the English language arts standards in relation to the curriculum frameworks in place during the 2008 through 2010 school years; (ii) the rigor of the mathematics standards in relation to the curriculum frameworks in place during the 2008 through 2010 school years; (iii) which standard would better prepare Massachusetts students for college; (iv) the emphasis on informational texts in the new standards in relation to the curriculum frameworks in place during the 2008 through 2010 school years; and (v) the emphasis on writing in the standards in relation to the curriculum frameworks in place during the 2008 through 2010 school years.
The task force shall submit its report, findings and recommendations, along with any proposed legislation and regulatory changes, to the joint committee on education, and the clerks of the house and senate on or before January 1, 2015."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason and Ms. Lovely moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the department of elementary and secondary education, herein known as the department, shall expend no funds to develop or implement the Common Core State Standards, herein known as the standards, for Massachusetts school districts until such time as the commissioner of the department provides the general court with the following: (1) an assessment of the total funds expended since the Education Reform Act of 1993 (Chapter 71 of the Acts of 1993), herein known as the act, to develop the standards for and the assessment known as the Massachusetts Comprehensive Assessment System; (2) an assessment of the costs to realign the educational curriculum of the commonwealth, developed pursuant to the act, to the standards adopted by the board of elementary and secondary education, herein known as the board, in 2010, including but not limited to the costs to the department, the costs to the board, and the costs to each individual school district in the commonwealth. Such costs shall include, but not be limited to: the cost of developing and implementing any new assessment, such as the Partnership for Assessment for Readiness for College and Career; professional development; teacher and administration evaluations; and any equipment, hardware, software, or technology upgrades needed for compliance with said new assessment; (3) any additional costs associated with data mapping of students in the commonwealth, as well as the administrative costs required to collect, maintain and protect the confidentiality of such data collection; (4) the procedure required to repeal the 2010 decision of the board to adopt the standards; provided further that the commissioner shall provide a report on the impacts of the adoption of the standards on the commonwealth's current standards with particular regard to the high ranking of Massachusetts students on the National Assessment of Education Progress and international standardized tests, such as the Programme for International Student Assessment. In conducting such an assessment, the commissioner

shall conduct not fewer than four public hearings to receive testimony from members of the public, including parents, teachers, and administrators. The hearings shall be held in locations that provide opportunities for residents from all geographic regions of the commonwealth to testify. The commissioner shall provide a summary of the transcribed hearings. The department, in coordination with the commissioner, shall make a report to the general court on the department's recommendations by filing the same with the clerks of the senate and house of representatives on or before December 31, 2014."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7077-0023, by striking out the figure "$3,500,000" and inserting in place thereof the following figure:- "$5,550,000".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason and Ms. Lovely moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION XXXX. Chapter 15 of the general laws as appaearing in the 2012 official edition is hereby amended by inserting at the end thereof the following section:-
SECTION XX. Unfunded Education Mandates
If the division of local mandates, established under section 6 of chapter 11, determines that a law, rule or regulation related to education has not been paid in full by the commonwealth using the procedures established by section 27C(d) of chapter 29, then a city, town, or school district may petition the department of elementary and secondary education for a waiver from said law, rule or regulation, or any part thereof. The department shall grant the waiver unless it determines that the absence of the mandate will lower the quality of education provided; provided, however, that the petition shall be deemed granted if the department fails to respond within 90 days of the submission of the petition request."
The amendment was *rejected*.

Mr. Downing, Ms. Forry, Ms. Creem, Ms. Spilka, Ms. O'Connor Ives and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7100-0700, by striking out the figure "$550,000" and inserting in place thereof the following figure:- "$1,165,000".
The amendment was *rejected*.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 3000-7050, by inserting at the end thereof the following:- "provided further, that not less than $100,000 shall be expended for the Springfield Day Nursery Corporation"; and by striking out the figure "$15,526,078" and inserting in place thereof the following figure:- "$15,626,078".
The amendment was *rejected*.

Mr. Welch moved that the proposed new text be amended in section 2, by inserting after item 1599-7104, the following item:-
"1599-XXXX For a reserve for the facilities and annual operating costs associated with the UMass Center at Springfield ……$1,000,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. Eldridge and Michael O. Moore moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION XX. There shall be an educational mandate task force to review existing state mandates placed on public schools and districts in the Commonwealth. The task force shall consist of 11 members: the house and senate chairs of the joint committee on education, or their designees, who shall serve as the co-chairs of the task force; a member of the general court appointed by the senate minority leader; a member of the general court appointed by the house minority leader; the commissioner of elementary and secondary education, or a designee; and 6 persons to be appointed by the secretary of education, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Superintendents, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Committees, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Business Officials, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Secondary School Administrators' Association, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Elementary School Principals' Association, and 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Administrators of Special Education.
The task force shall: (i) identify and review the state laws, regulations, and administrative directives that prescribe requirements for school districts, including those that require school districts to prepare and submit reports and data to the department of elementary and secondary education; (ii) identify the state laws that require the department of elementary and secondary education to submit reports to the legislature based on information it must obtain from school districts; and (iii) develop recommendations to streamline, consolidate, or eliminate such mandates or reporting requirements that are outdated, or duplicative of or inconsistent with current laws, regulations or practices. In developing its recommendations, the task force shall consider the feasibility of creating a single master reporting form to prevent

duplicate information from being reported by school districts more than once yearly. Such recommendations shall also include a process for ensuring that new state laws or regulations do not duplicate existing reporting requirements.
The first meeting of the task force shall take place within 60 days of the effective date of this act. The task force shall file a report containing its findings and recommendations, including legislative recommendations, if any, with the clerks of the house and senate not later than12 months following the first meeting of the task force. Prior to issuing its recommendations, the task force shall conduct at least one public hearing to receive testimony from members of the public."
The amendment was *rejected*.

Messrs. Tarr, Richard T. Moore, DiDomenico and Ross moved that the proposed new text be amended in section 2, in item 7010-0020, by striking the item in its entirety and inserting in place thereof the following item:-
"7010-0020 For the Bay State Reading Institute; provided, that the program shall be administered under contract with Middlesex Community College in programmatic collaboration with Framingham State University and Fitchburg State University; provided further, that the institute shall provide literacy-based intervention in schools and districts including those at risk of or determined to be underperforming under section 1J and 1K of chapter 69 of the General Laws; provided further, that no less than 75% of the increased funding over FY 2014 be used to add BSRI services to additional schools, of which all must be level 2 or higher and at least half must be from schools at level 3 or higher or from Commissioner's Districts; provided further, that funds appropriated in this item may be expended through June 30, 2016..... $1,200,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. Montigny, Joyce and Michael O. Moore and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7061-9408, by striking out the figure "$7,543,523" and inserting in place thereof the following figure:- "$8,006,297".
After remarks, the amendment was *rejected*.

Ms. Forry, Ms. Chang-Diaz, Mr. DiDomenico, Ms. Jehlen and Messrs. Michael O. Moore, Rodrigues, Brownsberger, Finegold, Welch, Donnelly and Downing moved that the proposed new text be amended in section 2, in item 7061-9634, by striking out the figures "$350,000" and inserting in place thereof the figures "$400,000".
The amendment was adopted.

Messrs. Hedlund and Tarr moved that the bill be amended as follows:
"Section XXX. Section 19 of Chapter 15A as appearing in the 2010 Official Edition is hereby amended by inserting after the word 'courses' in line 13 the following paragraph:- 'provided, however, that no full or partial waivers of tuition or fees shall be allowed for persons not legally residing in the commonwealth unless said tuition or fee waiver is approved by a majority vote of each branch of the general court'."
The amendment was *rejected*.

Messrs. DiDomenico, Wolf, Welch and Rush, Ms. O'Connor Ives, Ms. Donoghue, Ms. Forry and Mr. Downing moved that the proposed new text be amended in section 2, in item 7030-1005, by striking out the figure "$350,000" and inserting in place thereof the following figure:- "$450,000".
The amendment was *rejected*.

Ms. Lovely, Mr. Rodrigues, Ms. Chang-Diaz, Messrs. Lewis, DiDomenico, Finegold, Barrett and Brownsberger and Ms. Forry moved that the proposed new text be amended in section 2, in item 7061-9412, by striking out the figure "$13,668,628" and inserting in place thereof the following figure: "$15,168,750".
After remarks, the amendment was *rejected*.

Ms. Forry and Messrs. Donnelly, Rush, Montigny and Timilty moved that the proposed new text be amended in section 2, by adding the following item:-
"XXXX-XXXX For the cost of establishing a memorial to honor Massachusetts Iraq and Afghanistan Fallen Heroes; provided, that funds shall be made available to the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund, Inc. for programming, design, construction, and maintenance; provided further, that nothing in this item shall prohibit the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund, Inc. from raising private funds to promote the establishment of the memorial or encouraging the donation of private funds for the construction and maintenance of the memorial or for any other endeavor the organization so chooses.……..…..$250,000";
By striking out section 4 and inserting in place thereof the following 2 sections:-
"SECTION 4. Chapter 2 of the General Laws is hereby amended by inserting after section 6A the following section :-
Section 6B. (a) The Massachusetts Iraq and Afghanistan Fallen Heroes Memorial shall be erected in Seaport park in the Seaport district of the city of Boston and shall be the official memorial of the commonwealth to honor all post-September, 11, 2001 veterans of the commonwealth who died while in service to this country in Iraq, Afghanistan and all other operations across the globe and in the United States. The memorial park shall also pay tribute to all veterans of the commonwealth who served post-September 11, 2001.

(b) There shall be established an Iraq and Afghanistan Memorial monitoring committee to consist of 9 persons, 1 of whom shall be appointed by the president of the senate; 1 of whom shall be appointed by speaker of the house of representatives; 1 of whom shall be appointed by the governor; 2 of whom shall be appointed by the secretary of veterans' services of whom 1 shall be a Gold Star parent of a fallen service member who served in United States military operations in either Iraq or Afghanistan; and 4 of whom shall be appointed by the executive director of the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund, Inc. Each member, except the Gold Star parent, shall have been a veteran of United States military operations in Iraq or Afghanistan. The committee shall oversee the construction, maintenance and dedications of the memorial. Upon completion and dedication of the memorial all commission duties relative to the memorial shall be the responsibility of the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund, Inc.
SECTION 4A. Section 67 of chapter 3 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words 'gay and lesbian' and inserting in place thereof the following words:- lesbian, gay, bisexual, transgender, queer and questioning."; and
By inserting after section 54 the following section:-
"SECTION 54A . Section 2E of chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following subsection:-
(d) The registrar shall furnish, upon application, to owners of private passenger motor vehicles distinctive registration plates which shall display on their face the silhouette of a soldier, a soldier's cross and gold star with the words "Honor Their Sacrifice", to honor men and women who have died in the military service of the United States. There shall be a fee of not less than $50 for such plates in addition to the established registration fee for private passenger motor vehicles, which shall be payable at the time of registration of the vehicle and at each renewal thereof. The registrar shall furnish without charge 1 "Honor Their Sacrifice" registration plate for 1 private passenger motor vehicle owned and principally used by parents, children, siblings, grandchildren or spouses of members of the military who died while in active service in the armed forces under conditions other than dishonorable. The portion of the total fee remaining after the deduction of costs directly attributable to the issuance of such plates shall be deposited in a registry retained revenue account. Of the remaining portion of the fee, 75 per cent shall be directed to the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial Fund, Inc., to be distributed by the fund at its discretion in cooperation with Iraq and Afghanistan Memorial monitoring committee for the benefit of the programs, design, construction and maintenance of the Massachusetts Iraq and Afghanistan Fallen Heroes Memorial, veterans memorials and fallen heroes memorials throughout the commonwealth and 25 per cent shall be directed to the Disabled American Veterans, Department of Massachusetts."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before two o'clock P.M., on motion of Mr. Brewer, as follows, to wit *(yeas 40 — nays 0)* [Yeas and Nays No. 331]:

YEAS.

Barrett, Michael J.	**Kennedy, Thomas P.**
Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**Murray, Therese**
Donnelly, Kenneth J.	**O'Connor Ives, Kathleen**

Donoghue, Eileen M.	**Pacheco, Marc R.**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rodrigues, Michael J.**
Finegold, Barry R.	**Rosenberg, Stanley C.**
Flanagan, Jennifer L.	**Ross, Richard J.**
Forry, Linda Dorcena	**Rush, Michael F.**
Hedlund, Robert L.	**Spilka, Karen E.**
Humason, Donald F., Jr.	**Tarr, Bruce E.**
Jehlen, Patricia D.	**Timilty, James E.**
Joyce, Brian A.	**Welch, James T.**
Keenan, John F.	**Wolf, Daniel A. - 39.**

NAYS − 0.

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

Recess.

There being no objection at two minutes past two o'clock P.M., for the purpose of a Memorial Day Celebration, the President declared a recess; and, at four minutes before three o'clock P.M., the Senate reassembled, the President in the Chair.

On motion of Mr. Brewer, the remarks of former Senator Steven C. Panagiotakos were ordered printed in the Journal of the Senate.

Remarks of former Senator Steven C. Panagiotakos.

The National Mall in Washington D.C. is known as America's Frontyard. It is set off by Constitution Avenue to the north and Independence Avenue to the south but within its acreage are situated the greatest collection of American landmarks in the country. And one of those landmarks is the Vietnam Veterans Memorial.

The groundbreaking occurred on March 26, 1982, the dedication on November 13, 1982. The total cost was $9 million… all raised through private funds. The design of Maya Ling Lin was chosen after a competitive process of hundreds of submissions. It is a spread out V shape monument of 70 inscribed and 4 un-inscribed black granite panels angled at 125 degrees with each side 246.75 feet.

The panels decrease in height as if flowing into the earth and then equally back out. The east wall points to the Washington monument as if to remember his warning words to Future Americans,

"The willingness with which our young people are likely to serve in any war, no matter how justified, shall be directly proportional as to how they perceive the veterans of earlier wars are treated and appreciated by their nation."

The west wall points to the Lincoln memorial with his Gettysburg Address still echoing through time, "But, in a larger sense," Lincoln said, "we cannot dedicate, we cannot consecrate, we cannot hallow this ground. The brave men, living and dead, who struggled here, have consecrated it far above our power to add or detract."

The names of 58,261 men and women who died in the Vietnam War or remain missing in action are placed on the wall by a process known as photo stencil gritblasting. The names are placed in chronological order according to the date of their death starting with July 8, 1959 with Dale R. Buisand ending with Richard Vande Geer May 15, 1975.

However, the first known casualty was Richard B. Fitzgibbon of North Weymouth, Massachusetts, killed on June 8, 1956. His connection with our efforts in Vietnam were not uncovered until years later. Also, listed is his son, Marine Lance Corporal Richard B. Fitzgibbon III killed on September 7, 1965, one of two pairs of confirmed father-and-son losses.

West Virginia had the highest per capita state casualty. And Beallsville, Ohio had the highest per capita loss with six casualties out of their small population of 475.Thomas Edison High School of Philadelphia alone loss 54 students.

Morenci High School a small mining town in Arizona had nine members of their basketball and football team enlist in the Marines together. The names of six of the nine are on the wall.

In Midvale, Utah, on Fifth, Sixth and Seventh avenues, there were three boys who grew up together as best friends. Their names now appear close by each other on the wall. They were killed within sixteen days of each other.

The youngest name on the wall was for Dan Bullock who was only 15 years old. In fact about half of the names on the wall were men and women under the age of twenty at the time of their death.

There are 36 pairs of brothers and one pair of step brothers whose names appear on the wall…The statistics are to quantify …the names are to individualize. But the stories…the stories are to personalize and exemplify…to remind us that they are more than just numbers…That they are even "more than just names on a wall".

This observation comes from a song that I've always remembered called, more than a name on a wall.

"More than a name on a wall"
"I saw her from a distance…as she walked up to the wall
In her hands she held some flowers…as her tears began to fall
And she took out pen and paper…as to trace her memories
And she looked up to heaven and the words she said were these
She said Lord my boy was special… and he meant so much to me
And Oh I'd love to see him…just one more time you see
All I have are the memories…and the moments to recall
So, Lord could you tell him, he's more than a name on a wall."

You know walls are usually there to divide us or to keep danger out, this wall however is there to unite us and to beckon us in. The shiny black granite provides a reflection of the present but through which for some…you can enter the past.

Stand there with me for a minute in front of this gigantic dark mirror. In its reflection, what else do we see happening around us? As you look down the wall and to the side, you can see a man in a camouflage jacket and jeans, with an American flag triangularly folded in his right hand, stretched up and leaning on the wall to steady his body as well as his emotions.

His head is bowed as he looks down the panel to find the name… the name of his buddy…the one he left behind…the only one who would know what he experienced and how he felt. And as he touches that name he is taken back to 1967… back to the jungle… back to the stories … the dreams … and the fears that they shared…one from the city, the other from the country, so different but so alike…how they took care of each other when they were sick and shared food when they were hungry.

The wall has taken him back so that he can tell his buddy that he has never forgotten him and that he's done all right and that he's sorry that it took forty years to come here…to go back…back to the jungle… back to the horrors and as the tears start streaming down his face he says, "I know you'd understand but I still don't".

Down the wall just a little bit, there's a father with his little son. The Dad is dressed in casual business attire and the boy in jeans and a baseball jersey. It seems like your usual father and son tourist visit. But as they stand before this black monument, they seem to be searching… searching for a specific name…the name of his father…the name of the little boy's grandfather.

Their name except theirs has a Jr. and a Third after it. Their dad and granddad was a West Point educated officer. He was posthumously honored by our country for his gallantry in action and saving the lives of his men. And, then their eyes, almost simultaneously, find their name.

In a personal silence the man's mind and seemingly his body drifts back in time to a picture he has of his dad, donning his dress uniform, holding him close to his shoulder with a great big smile.

He doesn't remember the day, though his mother has told him, his dad left for Vietnam the next day, but he can now, somehow, feel the physical sense of safety and protection and love that comes back to him every time he sees the photo.

The silence is broken up by the little boy's question, "Dad, how old were you when gramps died?" "A little younger than you", the Father replies. The silence returns then the boy says, "You must have been sad, cause I would be sad if you were gone."

The father now is overwhelmed with the memories of the loss of his dad and the thought of not being there for his son. He is trying to hide his tears so his son doesn't see him crying. As he looks away, he says," Sad, but I always knew he loved me… I hope you will always know that too." For a few more minutes there is no more talk as they are lost in their thoughts then, as if returning, back to the present they leave, closer than they came.

Over four million people visit the wall every year. Some are casual tourists from America and abroad. Some are school groups on an education tour. Some are patriotic citizens coming to pay their respects.

And some…, some come to be healed, some come to remember and some come to say goodbye but the common denominator for them is they come… come to a place and a memorial that many said they wouldn't…because America just wanted to forget.

But we can't forget… nor should we ever forget, the service of Thomas Kelley and his comrades, especially those who made the ultimate sacrifice.

Or the loss and pain of the families of our fallen heroes which lasts a lifetime…just ask Irene Finneral and Steve and Judy Zabriek.

And that is why we must remember and honor and appreciate what was given for us by those who gave their lives and, also, by their families.

When the 50th Anniversary of Pearl Harbor came up in 1991, I saw an article about my best friend's dad in the paper. I couldn't believe what I was reading, I knew this man for years, over the house all the time and never once, not once did anything come up about Pearl Harbor or a Silver Star.

His name is Charlie Petrakos and on the morning of December 7, 1941 while he was headed to the mess hall at Hickam Field, all hell broke loose, Japanese planes like swarms of bees, everywhere, bombing and strafing the area with their deadly firepower with special attention on destroying the aircraft… which they did… out of 394 aircraft, 188 destroyed and 159 damaged.

Charlie quickly ran to one of those planes and manned a machinegun and started firing and with the enemy fire hitting all around him, he kept firing, downing one Japanese plane and fatally damaging another. Only 29 Japanese planes were downed during the entire Pearl Harbor attack.

I went over to the house at 43 Staples Street in Lowell and there was Charlie, as he often was, at the kitchen table lighting his pipe. I said excitedly, "Mr. P, you're a hero!" And I'll never, ever forget his response. He took his pipe out of his mouth, and looked down, and started to clean it.

A few seconds that seemed like an eternity passed as if he were thousands of miles away and fifty years ago and then he looks up to me and says…."No Steve, I'm not a hero. The boys that never made it back, they're the heroes".

In just a few words, Charlie taught me the absolute truth about our Freedom.

That what they lost will forever be freedom's cost. And as long as there is …a United States of America They …will be… our ultimate heroes.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill making appropriations for the fiscal year 2015 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 considered.
Ms. Chang-Diaz, Ms. Spilka, Messrs. Hedlund, Michael O. Moore, Wolf and DiDomenico, Ms. Donoghue, Mr. Brownsberger, Ms. Lovely, Messrs. Finegold, Keenan and Eldridge, Ms. Jehlen, Ms. Forry and Messrs. Rush and Petruccelli moved that the proposed new text be amended in section 2, in item 7061-9010, by striking out the figure "80,000,000" and inserting in place thereof the following figure:- "$113,351,651".
After remarks, the amendment was *rejected*.

At one minutes before three o'clock, P.M., Ms. Chang-Diaz doubted the presence of a quorum. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at three o'clock P.M., a quorum was declared present.

Ms. Chang-Diaz, Mr. Ross, Ms. Creem, Messrs. Lewis and Donnelly, Ms. Spilka, Messrs. Hedlund and Eldridge, Ms. Forry and Messrs. Keenan, Barrett, DiDomenico and McGee moved that the proposed new text be amended in section 2, in item 7010-0012, by striking out the figure "$18,642,582" and inserting in place thereof the following figure:- "$19,642,582".
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eleven minutes past three o'clock P.M., on motion of Ms. Chang-Díaz, as follows, to wit *(yeas 11 — nays 28)* [Yeas and Nays No. 332]:

YEAS.

Barrett, Michael J.	**Forry, Linda Dorcena**
Chang-Diaz, Sonia	**Hedlund, Robert L.**
Creem, Cynthia Stone	**Keenan, John F.**
DiDomenico, Sal N.	**Ross, Richard J.**
Donnelly, Kenneth J.	**Wolf, Daniel A. − 11.**
Eldridge, James B.	

NAYS.

Brewer, Stephen M.	**McGee, Thomas M.**
Brownsberger, William N.	**Montigny, Mark C.**
Candaras, Gale D.	**Moore, Michael O.**
Chandler, Harriette L.	**Moore, Richard T.**
Donoghue, Eileen M.	**O'Connor Ives, Kathleen**
Downing, Benjamin B.	**Pacheco, Marc R.**
Finegold, Barry R.	**Petruccelli, Anthony**

Flanagan, Jennifer L.	**Rodrigues, Michael J.**
Humason, Donald F., Jr.	**Rosenberg, Stanley C.**
Jehlen, Patricia D.	**Rush, Michael F.**
Joyce, Brian A.	**Spilka, Karen E.**
Kennedy, Thomas P.	**Tarr, Bruce E.**
Lewis, Jason M.	**Timilty, James E.**
Lovely, Joan B.	**Welch, James T. − 28.**

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

Mr. Eldridge and Ms. Spilka moved that the proposed new text be amended in section 2, in item 7030-1002, by striking out the figure "$20,000,000" and inserting in place thereof the following figure:- "$27,048,947".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7061-0011, by striking out the figure "2,000,000" and inserting in place thereof the following figure:- "3,350,000".
After remarks, the amendment was adopted.

Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section 83, the following 2 sections:-
"SECTION 83A. Subsection (b) of section 8 of chapter 278A of the General Laws, as so appearing, is hereby amended by striking out, in lines 6 and 7, the words 'the American Society of Crime Laboratory Directors Laboratory Accreditation Board' and inserting in place thereof the following words:- an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement and offers forensic laboratory accreditation services.
SECTION 83B. Subsection (c) of said section 8 of said chapter 278A, as so appearing, is hereby amended by striking out, in lines 14 and 15, the words 'the American Society of Crime Laboratory Directors Laboratory Accreditation Board' and inserting in place thereof the following words:- an accreditation body that is a signatory to the International Laboratory Accreditation Cooperation Mutual Recognition Agreement and offers forensic laboratory accreditation services."
After remarks, the amendment was adopted.

Mr. Timilty moved that the proposed new text be amended in section 2, by inserting after item 8000-1700, the following new item:-
"XXXX-XXXX For a grant program to be administered by the executive office of public safety and security, to provide funding for handheld narcotics identification tools that enable identification of suspected drugs, including opioids, synthetic cannabinoids and synthetic cathinones, cutting agents and precursors in the field; able to simultaneously test for multiple drugs in a single analysis; that is based on Raman spectroscopy, or a comparable chemical identification method, to reduce or eliminate contact with the sample for operator safety; that uses a closed library of certified substances to ensure reference sample integrity; must produce automatic analysis reports which show pre- and post-scan self-check results and provide spectral information; provided, that the secretary of public safety and security shall distribute grant funds through a competitive grant program that gives preference to applications that demonstrate high levels of substance abuse in a region; provided further, that the funds shall be considered 1-time grants awarded to law enforcement agencies and shall not annualize into fiscal year 2016; provided further, that administrative costs for successful grant applications shall not exceed 5 per cent of the value of the grant; provided further, that the executive office of public safety and security shall publish guidelines and an application for the grant program, not later than August 15, 2014; and provided further, that awards shall be made to applicants not later than December 16, 2014 ..... $1,000,000".
After remarks, the amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended in section 2, in item 8000-1700, by striking out the figure "$22,508,931" and inserting in place thereof the following figure:- "$24,508,931".
After remarks, the amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended in section 2, in item 8000-0110, by striking out the figure "$2,200,000" and inserting in place thereof the following figure:- "$2,490,000".
The amendment was *rejected*.

Messrs. Timilty, Rush and Wolf and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8000-0105, by striking out the figure "$8,916,092" and inserting in place thereof the following figure:- "$9,364,342".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new sections:-
"SECTION __. The first sentence of subsection (2) of section 178K of chapter 6, as appearing in the 2012 Official Edition, is hereby amended in line 97 by inserting after the word 'register' the following words:- ', provided that conviction of a crime constituting a sex offense involving a child, as that term is defined in section 178C, shall create a rebuttable presumption of classification no lower than level 2, provided further that a conviction of a crime constituting a sexually violent offense and/or a sex offense involving a child shall constituent at a minimum of a level 1 designation to the sex offender to comply with the Jacob Wetterling Crimes Against Children and Sexually Violent Offender Registration Act, 42 U.S.C. section 14071'.
SECTION __. Section 178L of chapter 6 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-
(3) (a) The board shall notify the local police department in the city or town in which such sex offender lives, works or attends school at least 30 days before classifying or reclassifying a sex offender.
SECTION __. Section 178P of chapter 6 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-
(2) Whenever a police officer, district attorney, or agent, employee or representative of the office of health and human services has information that may be relevant to the assessment of a sex offender's risk to reoffend or degree of dangerousness, the police department, district attorney, or health and human services agent, employee or representative shall forward to the board said information; provided, however, that a police department or district attorney need not forward information to the board that it believes will compromise an ongoing investigation."
The amendment was *rejected*.

Messrs. Timilty, Rush and Tarr, Ms. Spilka, Mr. Wolf, Ms. Chandler, Messrs. Brownsberger, Ross, Michael O. Moore, Hedlund, Donnelly, Barrett, Eldridge, Keenan, DiDomenico and Finegold, Ms. Candaras, Mr. Kennedy, Ms. Donoghue and Mr. Montigny moved that the proposed new text be amended in section 2, in item 8200-0222, by striking out the text and inserting in place thereof the following item:-
"8200-0222 For the municipal police training committee, which may collect and expend an amount not to exceed $1,800,000 to provide training to new recruits; provided, that the committee shall charge $3,000 per recruit for the training; provided further, that notwithstanding any general or special law to the contrary, the committee shall charge a fee of $3,000 per person for training programs operated by the committee for all persons who begin training on or after July 1, 2014; provided further, that the fee shall be retained and expended by the committee; provided further, that the trainee, or, if the trainee is a recruit, the municipality in which the recruit shall serve, shall provide the fee in full to the committee not later than the first day of orientation for the program in which the trainee or recruit has enrolled; provided further, that no recruit or person shall begin training unless the municipality or the person has provided the fee in full to the committee; provided further, that for recruits of municipalities, upon the completion of the program, the municipality shall deduct the fee from the recruit's wages in 23 equal monthly installments, unless otherwise negotiated between the recruit and the municipality in which the recruit shall serve; provided further, that if a recruit withdraws from the training program before graduation, the committee shall refund the municipality in which the recruit was to have served a portion of the fee according to the following schedule: (i) if a recruit withdraws from the program before the start of week 2, 75 per cent of the payment shall be refunded; (ii) if a recruit withdraws from the program after the start of week 2 but before the start of week 3, 50 per cent of the fee shall be refunded; (iii) if a recruit withdraws from the program after the start of week 3 but before the start of week 4, 25 per cent of the fee shall be refunded; and (iv) if a recruit withdraws after the start of week 4, the fee shall not be refunded; provided further, that a recruit who withdraws from the program shall pay the municipality in which the recruit was to have served the difference between the fee and the amount forfeited by the municipality according to the schedule; provided further, that the schedule shall also apply to trainees other than recruits who enroll in the program; provided further, that expenditures shall not be charged to this item if they are not directly related to new recruit training; provided further, that expenditures shall not be charged to this item if they are related to chief, veteran, in-service or reserve training or any training not directly related to new recruits; and provided further, that for the purpose of accommodating timing discrepancies between the receipt of retained revenues and related expenditures, the committee may incur expenses and the comptroller may certify for payments not to exceed the lower of this authorization or the most recent revenue estimate as reported in the state

accounting system…….$1,800,000".
The amendment was adopted.

Ms. Spilka, Messrs. Rosenberg, Donnelly, Rush, Michael O. Moore, Lewis and DiDomenico, Ms. Forry and Mr. Kennedy moved that the proposed new text be amended in section 2, in item 8315-1024 by inserting after the word "Laws;" the following words:- "provided, that as sufficient funds become available, such funds shall be expended from this item to hire additional engineering inspectors or engineers to inspect piping work and complaints;".
The amendment was adopted.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION _. Chapter 6 of the General Laws, as appearing in the 201 Official Edition, is hereby amended by inserting after section 184A the following section:-
SECTION 184B. (a) There shall be established a forensic services drug laboratory oversight board within, but not subject to the control of, the executive office of public safety and security. The board shall consist of the secretary of public safety and security or a designee; the governor or a designee; the attorney general or a designee; the inspector general or a designee; and the colonel of state police or a designee.
(b) At the direction of the board, the undersecretary of public safety for forensic sciences shall advise and report to the board on the administration and delivery of forensic services at such facilities.
(c) The board shall have oversight authority over all commonwealth facilities engaged in forensic services in criminal investigations. The board shall ensure every such facility is actively accredited with the American Society of Crime Laboratory Directors/Laboratory Accreditation Board and compliant with standards promulgated by the International Organization for Standardization (ISO). The board shall receive quarterly reports from the undersecretary for forensic sciences which shall include, but not be limited to, the following information:
(i) the volume of forensic services at each facility;
(ii) the volume of forensic services of each employee at such facilities;
(iii) the costs and length of time from submission for testing or procedures and the return of results from such facilities;
(iv) compliance with accreditation standards of such facilities; and
(v) facility employee records, qualifications, and incident reports; provided, however, that any suspected or potential criminal wrongdoing shall be promptly referred to the attorney general for prosecution.
An electronic summary of said reports shall be submitted to the clerks of the senate and house of representatives and the chairs and ranking minority members of the joint committee on public safety and homeland security.
(d) The board shall promulgate rules and regulations necessary to carry out this section; provided, however, that said regulations shall require:
(i) facilities engaged in forensic services in criminal investigations to be actively accredited by the American Society of Crime Laboratory Directors/Laboratory Accreditation Board and compliant with standards promulgated by the International Organization for Standardization (ISO);
(ii) the forensic sciences advisory board to hold not less than 1 public hearing a year; and
(iii) the undersecretary for forensic sciences to receive anonymous complaints of employee or facility misfeasance or deviation from accreditation standards;
The oversight board shall consider the input of the forensic sciences advisory board prior to implementing said rules and regulations."
The amendment was adopted.

Messrs. Petruccelli and DiDomenico and Ms. Jehlen moved to amend the proposed new text by inserting after section 125, the following section:-
"Section 125A. (a) Notwithstanding any general or special law to the contrary, no license shall be issued under section 14 of chapter 91 of the General Laws permitting the development of rail lines or rail facilities for the transportation of ethanol to ethanol storage or blending facilities in the cities of Cambridge, Revere, Everett, Somerville, the East Boston section of the city of Boston or the Chelsea Creek Designated Port Area until January 1, 2019.
(b) Notwithstanding any general or special law to the contrary, the status of licenses issued under said section 14 of said chapter 91 before the effective date of this section shall not be impacted by this section.
(c) Notwithstanding any general or special law to the contrary, the Massachusetts emergency management agency, MEMA, shall develop a comprehensive plan for how state agencies shall prepare for and respond to incidents involving the transportation of ethanol by rail. Additionally, MEMA shall develop a comprehensive municipal planning guide and plan template that may be used by a municipality, through which ethanol is transported by rail, to develop a plan for how the municipality will prepare for and respond to incidents involving the transportation of ethanol by rail. MEMA shall provide technical guidance to a municipality seeking assistance for the implementation of the municipal planning guide. The response plan shall be developed in consultation with Massachusetts Department of Transportation, the division of fire services, the Department of Homeland Security, the Federal Railroad Administration, the United States Department of Transportation , the National Transportation Safety Board and 1 representative appointed jointly by the fire chiefs of the cities of Cambridge, Boston, Revere, Everett and Chelsea. The response plan shall include, but not be limited to, the following: (i) training related to ethanol and other flammable materials; (ii) identification of critical facilities along the

potential ethanol transportation routes, which may include consequence modeling of incidents near such facilities; (iii) development of a regional foam response task force, including an inventory and analysis of the amount of alcohol-resistant foam needed to combat an ethanol related accident and the vehicles and equipment needed to utilize the foam effectively; (iv) potential evacuation routes and procedures for when the public should be advised to shelter in place; (v) methods to communicate with limited English language speakers in the event of an incident; and (vi) necessary improvements to the transportation, infrastructure and rail facilities to be utilized during ethanol transport. On or before January 1, 2017, MEMA shall file the response plan with the joint committee on public safety and homeland security; provided, however, that an interim report on the status of the response plan and recommendations for an extension shall be filed on or before July 1, 2015. The response plan may also include legislative recommendations that MEMA considers appropriate. The response plan shall include a methodology under which an entity receiving ethanol by rail shall be assessed to provide funding for the development of the response plan and the training, equipment and other mitigation measures as recommended by the response plan. Impacted municipalities and agencies shall pursue federal grants as necessary in order to subsidize, to the extent feasible, the cost of the training and equipment recommended by the response plan. MEMA shall issue regulations to establish the means and methods by which it will assess entities receiving ethanol by rail to fund the development of the response plan and the mitigation measures recommended by MEMA in the response plan."
After remarks, the amendment was adopted.

Mr. Rush, Ms. Forry and Mr. DiDomenico moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Notwithstanding any special or general law to the contrary, the Massachusetts Bay Transportation Authority shall conduct a feasibility study on the costs associated with developing a program partnering with 501 (c) 4 national service organizations to provide transportation services to veterans in need of transportation to medical appointments and other life line services. Said study shall be completed by March 1, 2015 and shall be filed with House and Senate Committee on Ways and Means, the Joint Committees of Veterans and Federal Affairs and the Joint Committee on Transportation."
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the secretary of transportation shall issue a 5 year plan, as provided for in section 11 of chapter 6C, no later than 180 days after the passage of this act. Said plan shall prioritize projects to provide for the reduction in the number of structurally deficient bridges, to reduce congestion attributable to disrepair, to improve urban and rural primary pavement conditions, to improve interstate pavement conditions, to increase maintenance disbursements per mile to the level necessary to achieve and maintain a state of good repair, to return bus and transit assets into a state of good repair, to improve track and signalization conditions, or to otherwise eliminate the backlog on transit, road, and bridge projects. The plan shall not include any capital expansion projects. The plan shall be published as provided for in section 11 of chapter 6C."
The amendment was *rejected*.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION ___. Chapter 79 of the Acts of 2014 is hereby amended by striking section 40 in its entirety."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-one minutes before four o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 33)* [Yeas and Nays No. 333]:

YEAS.

Hedlund, Robert L.	**Tarr, Bruce E.**
Humason, Donald F., Jr.	**Timilty, James E. − 5.**
Ross, Richard J.	

NAYS.

Barrett, Michael J.	**Kennedy, Thomas P.**

Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**O'Connor Ives, Kathleen**
Donoghue, Eileen M.	**Pacheco, Marc R.**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rodrigues, Michael J.**
Finegold, Barry R.	**Rosenberg, Stanley C.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Jehlen, Patricia D.	**Welch, James T.**
Joyce, Brian A.	**Wolf, Daniel A. − 33.**
Keenan, John F.	

ABSENT OR NOT VOTING.

Donnelly, Kenneth J. − 1.

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

**Mr. Pacheco moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Paragraph (a) of section 59A of Chapter 10 of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the figure ‘5’ and inserting in place thereof the following figure:- ‘3’.
SECTION ___. The fifth paragraph of section 20 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the fourth and fifth sentences and inserting in place thereof the following 2**

sentences:- In addition to any reinstatement fee, there shall be a surcharge of $50 assessed against a person who seeks a license reinstatement following a revocation or suspension for 3 speeding convictions under section 17 within a 1-year period or as a result of receiving 3 or more violations or surchargeable offenses within a 3-year period. The first $50 of each surcharge shall be transferred by the registrar of motor vehicle to the state treasurer for deposit into the Spinal Cord Injury Trust Fund established in section 59A of chapter 10."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes past four o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 3 — nays 36)* [Yeas and Nays No. 334]:

YEAS.

Joyce, Brian A.	**Pacheco, Marc R. − 3.**
Lovely, Joan B.	

NAYS.

Barrett, Michael J.	**Keenan, John F.**
Brewer, Stephen M.	**Kennedy, Thomas P.**
Brownsberger, William N.	**Lewis, Jason M.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**O'Connor Ives, Kathleen**
Donnelly, Kenneth J.	**Petruccelli, Anthony**
Donoghue, Eileen M.	**Rodrigues, Michael J.**
Downing, Benjamin B.	**Rosenberg, Stanley C.**
Eldridge, James B.	**Ross, Richard J.**
Finegold, Barry R.	**Rush, Michael F.**
Flanagan, Jennifer L.	**Spilka, Karen E.**
Forry, Linda Dorcena	**Tarr, Bruce E.**

Hedlund, Robert L.	**Timilty, James E.**
Humason, Donald F., Jr.	**Welch, James T.**
Jehlen, Patricia D.	**Wolf, Daniel A. − 36.**

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

Ms. Chandler, Ms. Chang-Diaz, Messrs. Brownsberger and Michael O. Moore, Ms. Jehlen and Messrs. Eldridge, Lewis and McGee moved that the proposed new text be amended by inserting after section 54, the following new 2 sections:-
"SECTION 54A. Section 22 of chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (f).
SECTION 54B. Section 30 of said chapter 90, as so appearing, is hereby amended by adding the following paragraph:-
Notwithstanding any general or special law to the contrary, upon expiration of the term of suspension of driving privileges suspended under subsections (g), (h), or (i) of section 22, the registrar shall seal from public access all records of the suspension and the underlying offense, including records of the expiration of the suspension, any hearings or appeals related to the suspension, and the reinstatement following the suspension.";
By inserting after section 123, the following section:-
"Section 123A. Notwithstanding any general or special law to the contrary, the registrar of motor vehicles shall seal from public access all records of a suspension and the underlying offense that was previously imposed under subsection (f) of section 22 of chapter 90 of the General Laws, including records of the expiration of the suspension, any hearings or appeals related to the suspension, and the reinstatement following the suspension."; and
By inserting after section 130, the following section:-
"SECTION 130A. Section 54A shall take effect 60 days after the governor submits to the Secretary of the United States Department of Transportation: (i) a written certification stating that the governor is opposed to the enactment or enforcement of a law that conforms with 23 U.S.C. 159 (a)(3)(A), relating to the revocation, suspension, issuance or reinstatement of drivers' licenses to convicted drug offenders and (ii) a written certification that the general court has adopted a resolution expressing its opposition to a law described in clause (i)."
The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION XX. Notwithstanding any general of special law to the contrary, the department of children and families shall, within 60 days of the passage of this act, hire a licensed, professional medical staff member in each of the department's regional offices. Medical staff members shall provide initial medical screenings for all children who enter the department's care within 72 hours. The department shall also hire a medical director to manage, oversee and coordinate medical staff members in providing timely medical screenings and other medical services for children served by the department."
After remarks, the amendment was *rejected*.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section ___, the following new sections:-
"SECTION XX. Section 7 of chapter 18B of the General Laws, as appearing in the 2012 official edition, is hereby amended by inserting after subsection (n) the following subsection:-
(o) The commissioner shall require all social workers employed by the department to obtain a license as a certified social worker, pursuant to section 131 of chapter 112, within the first 6 months of employment. The commissioner shall also require all social workers employed by the department as of April 1, 2014 to obtain a license as a certified social worker, pursuant to section 131 of chapter 112, by January 1, 2015. The commissioner shall require social workers employed by the department to participate in no less than 30 hours per year of paid professional development training; provided, that such training is consistent with applicable collective bargaining agreements.
SECTION XX. Section 12 of chapter 18B of the General Laws, as so appearing, is hereby amended by striking the sentences in lines 35 to 37, inclusive, and inserting in place thereof the following sentences:-
A social worker shall have a bachelor's degree at the time of appointment. A supervisory social worker shall have a master's degree in social work or a related field and be a licensed certified social worker or a licensed independent clinical social worker at the time of appointment.
SECTION XX. Notwithstanding any special or general law to the contrary, the commissioner of the department of children and families shall ensure that all employees of the department are properly licensed according to section 15 of this act. The commissioner shall issue a report on the salaries and educational background of all social workers and supervisors employed by the department and provide a cost estimate of requiring that at least 50 percent of social

workers employed by the department be licensed independent clinical social workers or licensed certified social workers." After remarks, the amendment was *rejected*.

Messrs. Tarr, Ross and Humason moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION XX. Chapter 119 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out section 1 and inserting in place thereof the following section:—
Section 1. (a) It is hereby declared to be the policy of this commonwealth to make paramount the best interests of the child by directing its efforts, first, for the care and protection of the children of the Commonwealth of Massachusetts; then to strengthen the family unit if possible and if determined to be in the best interests of the child; to assist and encourage the use by any family of all available resources to this end; and to provide substitute care of children, either through temporary foster care or permanent placement, when the family itself, or the resources available to the family, are unable to provide the necessary care and protection to ensure the rights of any child to sound health and normal physical, mental, spiritual and moral development.
The purpose of this chapter is to ensure that the children of the Commonwealth are protected against the harmful effects resulting from the absence, inability, inadequacy or destructive behavior of parents or parent substitutes, and to assure good substitute parental care in the event of the absence, inability, inadequacy or destructive behavior of parents whether temporary or permanent. The health and safety of the child shall be of paramount concern in establishing the best interests of the child and shall include the long term well-being of the child. In all matters and decisions by the department of children and families, the policy of the department, as applied to children in its care and protection or children who receive its services, shall be to determine the best interests of the child. The department's considerations of appropriate services and placement decisions shall be made in a timely manner in order to facilitate permanency planning for the child.
(b) For the purpose of determining the manifest best interests of the child, the department and the court shall consider and evaluate all relevant factors, including, but not limited to:
1) Any suitable permanent custody arrangement with a kinship relative of the child, including, but not limited to, grandparents, aunts, uncles, siblings or adult children of the parent;
(2) The ability and disposition of the parent to provide the child with food, clothing, medical care, or other remedial care, and other material needs of the child;
(3) The capacity of the parent to care for the child to the extent that the child's safety; well-being; and physical, mental, and emotional health will not be endangered upon the child's return home;
(4) The child's ability to form a significant relationship with a parental substitute and the likelihood that the child will enter into a more stable and permanent family relationship as a result of permanent termination of parental rights and duties;
(5) The length of time that the child has lived in a stable, satisfactory environment and the desirability of maintaining continuity;
(6) The depth of the relationship existing between the child and the present custodian;
(7) The present mental and physical health needs of the child and such future needs of the child to the extent that such future needs can be ascertained based on the present condition of the child;
(8) The love, affection, and other emotional ties existing between the child and the child's parent, siblings, and other relatives, and the degree of harm to the child that would arise from the termination of parental rights and duties;
(9) The likelihood of an older child remaining in long-term foster care upon termination of parental rights due to emotional or behavioral problems or any special needs of the child;
(10) The reasonable preferences and wishes of the child, if the court deems the child to be of sufficient intelligence, understanding, and experience to express a preference;
(11) The recommendations for the child provided by the child's guardian ad litem or legal representative.
The availability of a non-adoptive kinship placement may not receive greater consideration than any other factor weighing on the manifest best interests of the child.
c) A judge may enter an order for the termination of the parent and child relationship when the judge finds from the evidence presented, after giving due consideration to the interests of all parties, that the termination is in the best interests of the child. Notwithstanding the above, all permanency hearings for the termination of parental relationship or reunification with parent shall occur not later than 12 months from the time said child has been removed from the care and custody of said parent. In determining whether it is in the child's best interests that the parent and child relationship be terminated, a judge shall consider each of the following factors:
(1) The child's need for continuity of care and caregivers and for timely integration into a stable and permanent home, taking into account the differences in the development and the concept of time of children of different ages;
(2) The present and projected physical, mental, and emotional health of all individuals involved to the degree that such affects the welfare of the child, the decisive consideration being the physical, mental, and emotional needs of the child;
(3) The quality of the interaction and interrelationship of the child with his or her parent, sibling, relative, or caregivers, including the foster or pre-adoptive parent;
(4) Whether the parent, guardian, or custodian of the child has not taken any action or made any effort to maintain a consistent parental, guardianship, custodial relationship, or contact with the child;

(5) Evidence that excessive alcohol or drug-related activity continues to exist in a child's home environment or is likely to continue to exist in the future after intervention and services have been provided by law; and
(6) To the extent feasible, the child's opinion of his or her own best interests in the matter. In all court and department proceedings that affect the child's past, current and future placements and status, when determining the best interests of the child, there shall be a presumption of competency that a child who has attained the age of 12 is able to offer statements on the child's own behalf and shall be provided with timely opportunities and access to offer such statements, which shall be considered by the department if the child is capable and willing. In all matters relative to the care and protection of a child, the ability, fitness and capacity of the child shall be considered in all department proceedings.
In the event the court finds compelling evidence, after hearing, that one of the above factors, or a combination of the above factors, exist to the extent they materially affect the best interests of the child, the court shall make a determination to terminate the parental relationship and allow either an open or closed permanent placement of the child forthwith."
The amendment was *rejected*.

Ms. Jehlen, Ms. Forry, Messrs. Lewis, Donnelly, Barrett, Brownsberger and DiDomenico, Ms. Donoghue, Mr. Michael O. Moore, Ms. Candaras and Mr. McGee moved that the proposed new text be amended by inserting after section 121, the following section:-
"SECTION 121A. Not less than $6,100,000 from the Community First Trust Fund, established in section 11, shall be expended to adjust the approved program rates issued under 114.4 CMR 17.03 to provide a rate add-on for wages, compensation 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."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-three minutes past four o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 40 — nays 0)* [Yeas and Nays No. 335]:

YEAS.

Barrett, Michael J.	**Kennedy, Thomas P.**
Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**Murray, Therese**
Donnelly, Kenneth J.	**O'Connor Ives, Kathleen**
Donoghue, Eileen M.	**Pacheco, Marc R.**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rodrigues, Michael J.**

Finegold, Barry R.	**Rosenberg, Stanley C.**
Flanagan, Jennifer L.	**Ross, Richard J.**
Forry, Linda Dorcena	**Rush, Michael F.**
Hedlund, Robert L.	**Spilka, Karen E.**
Humason, Donald F., Jr.	**Tarr, Bruce E.**
Jehlen, Patricia D.	**Timilty, James E.**
Joyce, Brian A.	**Welch, James T.**
Keenan, John F.	**Wolf, Daniel A. − 40.**

NAYS − 0.

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

Mr. Rush moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION XX. Section 16 of chapter 6A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 31 to 35, inclusive, the words ', the Massachusetts commission for the deaf and hard of hearing and the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke; (5) the department of veterans' services under the direction of the secretary of veterans' services, who shall be appointed by the governor' and inserting in place thereof the following words:- and the Massachusetts commission for the deaf and hard of hearing; (5) the department of veterans' services under the direction of the secretary of veterans' services, who shall be appointed by the governor, which shall include the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke."
The amendment was adopted.

Messrs. Rush and Rosenberg moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Notwithstanding any general or special law to the contrary, the Division of Capital Asset Management and Maintenance, in conjunction with the Executive Office of Health and Human Services, shall determine a feasible location for the siting of a modular child care center, outdoor recreational area, and parking, on or within one half mile of the Lemuel Shattuck Hospital property in the city of Boston, and shall enter into a 15-year lease for one dollar per year rent for the use of that property. Provided further, that the Department of Public Health, in conjunction with the Executive office of Health and Human services and the department of capital asset management and maintenance, shall allow the Shattuck Child Care Center, Inc. to remain in its present location under the terms of the existing agreement for a period of 12 months provided the Shattuck Child Care Center, Inc. pass their annual DPS safety inspections. Provided further, that the Shattuck Child Care Center, Inc. will reserve a portion of its slots for employees of the Lemuel Shattuck Hospital, the Department of Public Health's State Lab and the MBTA's Forest Hills facility. Upon determination of a feasible location for the siting and construction of a modular child care center the commissioner may make recommendations to adjust said rent to market rate on a proportional basis for the services provided to non-employees of the commonwealth after the Shattuck Child Care Center, Inc. moves to the new property location."
The amendment was adopted.

Messrs. Montigny and Michael O. Moore moved that the proposed new text be amended in section 2, in item 4512-0103, by adding at the end thereof the following; "provided that $2,000,000 be expended for viral hepatitis surveillance, outreach prevention, screening and education"; and by striking out the figure "$32,109,847" and inserting in place thereof the figure "$34,109,847".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 9110-1900, by adding the following words:- "provided further, that $250,000 shall be expended to continue the administration of the geriatrics program, pursuant to item 9110-1900 of section 2 of chapter 182 of the acts of 2008"; and by striking out the figure "$6,378,321" and inserting in place thereof the following figure:- "$6,628,321".
The amendment was adopted.

Mr. Keenan, Ms. Candaras, Messrs. Humason, DiDomenico and Eldridge moved that the proposed new text be amended by inserting at the end the following two new sections:
"SECTION __. Notwithstanding any general or special law, rule or regulation to the contrary, no carrier as defined under section 1 of chapter 176O nor their respective contractors, nor any Medicaid or other public or private health insurer or contracted health insurers, managed care organizations, health plans, health maintenance organizations, behavioral health management firms or third party administrators under contract to a Medicaid managed care organization or a primary care clinician plan, shall require on or after January 1, 2105 a prior authorization or a prior approval requirement related to the coverage of inpatient level mental health and substance abuse services of a patient with a mental health condition or a substance abuse disorder where the patient is determined to have an emergency medical condition by the treating healthcare provider, as emergency medical condition is defined under Chapter 141 of the Acts of 2000. Any such prior authorization or prior approval requirements shall be prohibited and shall be considered violations of the requirements for coverage of emergency services as provided in Chapter 141 of the Acts of 2000, and of the mental health parity provisions required in chapter 224 of the Acts of 2012; provided, however, that Emergency Service Program teams, so-called, as contracted through MassHealth to conduct behavioral health assessments, shall not be considered a prior authorization or prior approval requirement under this section. Nothing in this provision shall be construed to prevent notifying such entities named above that a given patient has been deemed to require and is seeking such care by a given provider or organization.
SECTION __. Notwithstanding any general or special law, rule or regulation to the contrary, a Carrier, as defined under Section 1 of Chapter 176O and their contractors, and Medicaid contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third party administrators under contract to a Medicaid managed care organization or a primary care clinician plan shall implement all Current Procedural Terminology, or CPT, as well as evaluation and management codes for behavioral health services in accordance with the new CPT evaluation and management codes as most recently adopted by the American Medical Association and the Centers for Medicare and Medicaid Services, or CMS; provided further, that if a code is covered under a Carrier or Medicaid fee schedule and paid on the medical surgical benefit, then the code shall reimburse providers the same rate as provided in facility and non-facility settings on the behavioral health and substance abuse benefit; provided further, that the Carrier and office of Medicaid shall work with its actuary to ensure that capitation rates appropriately account for changes in provider rates for all rate changes associated with incremental increases for behavioral health services; provided further, that any integrated care organization, managed care entity or behavioral health carve-out entity that manages behavioral health services on behalf of the Carrier or Medicaid shall implement all CPT evaluation and management codes for behavioral health services in accordance with the new CPT codes for evaluation and management services as well as psychopharmacological services and neuropsychological assessment services as most recently adopted by the American Medical Association and CMS; provided further, that any integrated care organization, managed care entity or behavioral health carve-out entity that manages behavioral health services on behalf of a Carrier or Medicaid shall be required to pay, at a minimum, the Carrier's or Medicaid's rates of payment for all CPT evaluation and management codes for behavioral health services by January 1, 2015; and provided further, that the Carrier and Medicaid shall review and adjust all rates of payment accordingly for mental health services provided in hospitals, hospital clinics, outpatient clinics, private practice offices, community health centers and mental health centers by January 1, 2015; provided, however, that nothing in this section shall be construed to supersede, reverse, or otherwise affect rates promulgated pursuant to Section 32 of Chapter 118 of the Acts of 2013."
The amendment was *rejected*.

Mr. Keenan, Ms. Chandler, Ms. Spilka and Messrs. Rosenberg, Michael O. Moore, DiDomenico and Barrett moved that the proposed new text be amended in section 2, by striking out item 7004-0104 and inserting in place thereof the following:-
"7004-0104 For the home and healthy for good program operated by the Massachusetts Housing and Shelter Alliance to reduce the incidence of chronic homelessness in the commonwealth; provided, not less than $200,000 shall be expended to continue a supportive housing initiative for unaccompanied homeless young adult who identify as LGBTQ; provided further, that the Massachusetts Housing an Shelter Alliance shall be solely responsible for the administration of this program; and provided further, that the Massachusetts Housing and Shelter Alliance shall file a report with the clerks of the house and senate, the undersecretary of the department of housing and community development, and the chairs of the house and senate committees on ways and means not later than January 2, 2015 on the number of people served, the average cost per participant, the demographics of those served, whether participants have previously received government services, and any projected cost-savings in other state-funded programs
……$1,800,000".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 4800-0038, by striking out the language "provided further, that not less than $100,000 shall be expended for the Children's Cove Cape and Islands Child Advocacy Center" and inserting in place thereof the following:- "provided further, that not less than $140,000 shall be expended for the Children's Cove Cape and Islands Child Advocacy Center".
The amendment was *rejected*.

Ms. Candaras and Mr. Welch move that the proposed new text be amended in section 2, in item 7004-0099, by adding the following words: ";provided further that $350,000 shall be expended for the expansion of a homeless resource center located at a homeless shelter in Springfield "; and by striking out the figure "$40,551,657" and inserting in place thereof the following figure:- "$40,901,657".
The amendment was adopted.

Ms. Chandler and Messrs. Lewis, Michael O. Moore, Barrett, Kennedy and Downing moved that the proposed new text be amended in section 2, in item 4512-0500, "provided further that not less than $1,459,525 shall be expended for the Commonwealth's comprehensive dental program for adults with developmental disabilities; and by striking out the figures "$1,478,659" and inserting in place thereof the figures "$2,028,659".
The amendment was *rejected*.

Ms. Candaras moved that the proposed new text be amended in section 2, in item 5920-2010, by striking out the figure "$205,583,619" and inserting in place thereof the following figure "$206,309,614".
The amendment was *rejected*.

Messrs. Rush, Timilty and Wolf, Ms. Candaras, Mr. Lewis and Ms. Forry moved that the proposed new text be amended in section 2, in item 8800-0001, in line 3, by inserting after the word "authorities" the following words:- "provided further, that not less than $500,000 shall be expended for the American Red Cross of Massachusetts"; and by striking out the figures "$1,650,031" and inserting in place thereof the figures "$2,150,031".
The amendment was *rejected*.

Ms. Candaras moved that the proposed new text be amended in section 2, in item 4512-0200, by striking out the figure "$88,827,334" and inserting in place thereof the figure:- "$89,727,334"; and by inserting at the end thereof:- "; provided further that $900,000 shall be expended for a licensed family residential program in Hampden County".
The amendment was *rejected*.

Ms. Candaras and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 5920-2000, by adding the following words:- "; and provided further, that not less than $450,000 shall be expended for the establishment of a group home to be located in the city of Springfield for individuals with hearing disabilities"; and by striking out the figure "1,007,638,217" and inserting in place thereof the following figure:- "1,008,088,217".
The amendment was adopted.

Mr. Pacheco moved that the proposed new text be amended in section 2, by striking out line item 5095-0015 in its entirety and inserting in place thereof the following:-
"5095-0015 For the operation of hospital facilities and community-based mental health services; provided, that in order to comply with the decision in Olmstead v. L.C., 527 U.S. 581, and to enhance care for clients served by the department, the department shall discharge clients residing in the inpatient facilities to residential services in the community when: (i) the client is deemed clinically suited for a more integrated setting; (ii) community residential service capacity and resources available are sufficient to provide each client with an equal or improved level of service; and (iii) the cost to the commonwealth of serving the client in the community is less than or equal to the cost of serving the client in inpatient care; provided further, that any client transferred to another inpatient facility as the result of a facility closure shall receive a level of care that is equal to or greater than the care that had been received at the closed facility; provided further, that the department shall allocate funds not to exceed $5,000,000 from this item to item 5046-0000, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any transfer for residential and day services for clients formerly receiving inpatient care at the centers and facilities; provided further, that the department shall maintain no fewer inpatient beds in fiscal year 2015 than were maintained in fiscal year 2014; provided further, that the department shall maintain no fewer than 680 inpatient beds by June 30, 2015; provided further, that the department shall operate no fewer than 234 adult continuing care inpatient beds as of January 15, 2015 and no fewer than 260 adult continuing care inpatient beds as of April 15, 2015 at Worcester Recovery Center and Hospital; and provided further, that in fiscal year 2015, 54 beds shall be continuing care inpatient beds on the campus of Taunton State Hospital".
After remarks and pending the question on adoption, at twenty-nine minutes before five o'clock P.M., Mr. Pacheco doubted the presence of a quorum; and a count of the Senate determined that a quorum was present.
After further debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at nineteen minutes past five o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 8 — nays 31)* [Yeas and Nays No. 336]:

YEAS.

Chandler, Harriette L.	**Pacheco, Marc R.**
Joyce, Brian A.	**Rodrigues, Michael J.**
Kennedy, Thomas P.	**Timilty, James E.**
Montigny, Mark C.	**Wolf, Daniel A. − 8.**

NAYS.

Barrett, Michael J.	**Jehlen, Patricia D.**
Brewer, Stephen M.	**Keenan, John F.**
Brownsberger, William N.	**Lewis, Jason M.**
Candaras, Gale D.	**Lovely, Joan B.**
Chang-Diaz, Sonia	**McGee, Thomas M.**
Creem, Cynthia Stone	**Moore, Michael O.**
DiDomenico, Sal N.	**Moore, Richard T.**
Donnelly, Kenneth J.	**O'Connor Ives, Kathleen**
Donoghue, Eileen M.	**Petruccelli, Anthony**
Downing, Benjamin B.	**Rosenberg, Stanley C.**
Eldridge, James B.	**Ross, Richard J.**
Finegold, Barry R.	**Rush, Michael F.**
Flanagan, Jennifer L.	**Spilka, Karen E.**
Forry, Linda Dorcena	**Tarr, Bruce E.**
Hedlund, Robert L.	**Welch, James T. − 31.**

Humason, Donald F., Jr.

The yeas and nays having been completed at twenty-four minutes past five o'clock P.M., the amendment was *rejected*.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 5095-0015, by inserting at the end thereof the following new text:- "; provided further that the department shall develop a state operated program for nonviolent offenders with mental health diagnoses currently serving their sentences in state or county correctional facilities on the campus of Taunton State Hospital".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-eight minutes past five o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 9 — nays 30)* [Yeas and Nays No. 337]:

YEAS.

Barrett, Michael J.	**Petruccelli, Anthony**
Joyce, Brian A.	**Rodrigues, Michael J.**
Kennedy, Thomas P.	**Timilty, James E.**
Montigny, Mark C.	**Wolf, Daniel A. − 9.**
Pacheco, Marc R.	

NAYS.

Brewer, Stephen M.	**Humason, Donald F., Jr.**
Brownsberger, William N.	**Jehlen, Patricia D.**
Candaras, Gale D.	**Keenan, John F.**
Chandler, Harriette L.	**Lewis, Jason M.**
Chang-Diaz, Sonia	**Lovely, Joan B.**
Creem, Cynthia Stone	**McGee, Thomas M.**
DiDomenico, Sal N.	**Moore, Michael O.**
Donnelly, Kenneth J.	**Moore, Richard T.**
Donoghue, Eileen M.	**O'Connor Ives, Kathleen**
Downing, Benjamin B.	**Rosenberg, Stanley C.**

Eldridge, James B.	**Ross, Richard J.**
Finegold, Barry R.	**Rush, Michael F.**
Flanagan, Jennifer L.	**Spilka, Karen E.**
Forry, Linda Dorcena	**Tarr, Bruce E.**
Hedlund, Robert L.	**Welch, James T. − 30.**

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

Ms. Chandler, Messrs. Michael O. Moore and Barrett moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. Notwithstanding any general or special law to the contrary, the Massachusetts rehabilitation commission shall establish a pilot community center to be located in Worcester county by June 30, 2015 and, subject to the availability of funds, a pilot multi-service center to be located in the northeast section of the commonwealth."
The amendment was adopted.

Ms. Creem moved that the proposed new text be amended by inserting after section 122, the following section:-
"SECTION 122A. (a) Notwithstanding any general or special law to the contrary, all state crime laboratories and facilities established pursuant to section 7 of chapter 22E of the General Laws, and all local police departments shall undertake a physical inventory of sexual assault evidence collection kits in their possession by November 1, 2014. The director of the state crime laboratory and the chief law enforcement officer of each city and town shall provide a written report to the secretary of public safety and security not later than December 1, 2014, indicating: (i) the number of sexual assault evidence collection kits in their possession containing forensic evidence, as defined by section 220 of chapter 111 of the General Laws, that have not undergone DNA analysis, as defined by section 1 of chapter 22E of the General Laws, as of September 1, 2014; and (ii) the month and year that each untested sexual assault evidence collection kit containing forensic evidence was received by the reporting laboratory or local police department.
(b) The secretary of public safety and security shall prepare and transmit a report to the clerks of the house of representatives and the senate containing the information reported under this section on or before January 1, 2015. The report shall include recommendations to timely process sexual assault evidence collection kits and clear the backlog, if any."
After remarks, the amendment was adopted.

Suspension of Senate Rule 38A.
Ms. Flanagan moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 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.

Mr. Welch moved that the proposed new text be amended by inserting after section 9, the following section:-
"SECTION 9A. Section 16 of chapter 6D of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 9 to 12, inclusive, the words 'Utilization review criteria, medical necessity criteria and protocols must be made available to the public at no charge regardless of proprietary claims' and inserting in place thereof the following words:- Utilization review criteria, medical necessity criteria and protocols shall be provided: (i) with a notice of adverse determination, (ii) upon request, to an insured who has not received a notice of adverse determination, to the insured's provider or to the insured's representative, the criteria and protocols that relate to a specific diagnosis or treatment, (iii) upon request to the office of patient protection and the division of insurance; provided, that such criteria and protocols shall not be public records and shall be exempt from disclosure under clause Twenty-sixth of section 7 of chapter 4 and section 10 of chapter 66 and (iv) upon request, to members of the public at no charge; provided, that this clause shall not apply to criteria and protocols that are determined to be proprietary by the commission.";
By inserting after section 81, the following 2 sections:-
"SECTION 81A. The second paragraph of section 12 of chapter 176O of the General Laws, as appearing in section 199 of chapter 224 of the acts of 2012, is hereby amended by striking out the third sentence and inserting place thereof the following sentence:- Utilization review criteria shall be applied consistently by a carrier or a utilization review organization and made easily accessible and up-to-date on a carrier or utilization review organization's website to

subscribers, health care providers and the general public in accordance with section 16 of chapter 6D.
SECTION 81B. Section 16 of said chapter 176O, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'public', in line 27, the following words:- in accordance with section 16 of chapter 6D."; and
By inserting after section 131, the following section:-
"SECTION 131A. Section 81A shall take effect on October 1, 2015.".
The amendment was *rejected*.

Messrs. Rosenberg and Downing moved that the proposed new text be amended in section 2, in item 4512-0200, by adding at the end thereof the following:- "provided further that no less than $100,000 be disbursed through the Franklin County Sheriff's office to the Opiate Education & Awareness Task Force in Franklin County"; and by striking out the figure "88,827,334" and inserting in place thereof the following figure:- "88,927,334".
The amendment was adopted.

Messrs. Donnelly, DiDomenico and Joyce moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting after the word "facilities" the following words:- "; provided further, that the department shall expend not less than $250,000 to develop and implement an assisted outpatient treatment pilot program to treat residents who suffer from serious and persistent mental illness and experience repeated interaction with law enforcement or have a high rate of recurring hospitalization due to their mental illness either through a voluntary agreement with the resident or by court order mandating that the resident receive the treatment described in this program; provided further, that the department shall report not later than June 1, 2015, to the house and senate committees on ways and means and the joint committee on mental health and substance abuse the progress and results of the pilot program and any identified barriers and challenges to treatment for the aforementioned treatment group"; and by striking out the figure "357,569,145" and inserting in place thereof the following figure:- "$357,819,145".
After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 4512-0103, by inserting after the word "conditions;" the following:- "provided further, that not less than $120,000 shall be expended to conduct a hepatitis C pilot program at the North Shore Health Project;"; and by striking out the figure "$32,109,847" and inserting in place thereof the figure "$32,229,847".
The amendment was adopted.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 5095-0015, by inserting at the end thereof the following new text:- "; provided further that the department, in the form of mental health parity, shall develop a 25 bed state operated forensic unit on the campus of Taunton State Hospital, 12 beds of which shall be on a female court evaluation unit for residents of the Southeast area and 13 beds of which shall be on a male court evaluation unit for residents of the Southeast area".
After remarks, Mr. Pacheco moved that the question on adoption of the amendment be determined by a call of the yeas and the nays.
An insufficient number of members joining with him, the yeas and nays were not ordered.
The amendment was *rejected*.

Mr. Pacheco doubted the vote and asked for a standing vote; subsequently by a standing vote of 1 to 15, the amendment was *rejected*.

Mr. Pacheco further doubted the vote and asked for a call of the yeas and the nays.

An insufficient number of members joining with him, the yeas and nays were not ordered; and the amendment was *rejected*.

Recess.

There being no objection, at six o'clock P.M., the President declared a recess subject to the call of the Chair; and, at eleven 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 2015 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.
Ms. Candaras and Mr. Tarr moved that the proposed new text be amended by inserting a new section at the end thereof:-
"SECTION XX. Section 9 of Chapter 118 E is hereby amended by adding in the second sentence of the second paragraph, after the words 'requirements for Title XIX' the following new language:-- Any program of home and community based

services funded pursuant to the provisions of this chapter or pursuant to the provisions chapter one hundred and eighteen G, in which family members are permitted to serve as paid caregivers, shall include spouses within the definition of family member."
The amendment was *rejected*.

Messrs. DiDomenico, Lewis, Welch, Wolf, Rodrigues and Donnelly, Ms. Candaras, Mr. Eldridge, Ms. Spilka, Messrs. Hedlund and Michael O. Moore, Ms. Lovely, Mr. Petruccelli, Ms. Donoghue, Ms. Creem, Mr. Finegold, Ms. Forry and Messrs. Kennedy and Humason moved that the proposed new text be amended in section 2, by striking out item 4590-1507 and inserting in place thereof the following item:-
"4590-1507 For matching grants to the Massachusetts Alliance of Boys & Girls Clubs, Inc., the Alliance of Massachusetts YMCAs, the YWCA organizations, nonprofit community centers and teen empowerment and youth development programs; provided, that the department of public health shall award the full amount of each grant to each organization upon commitment of matching funds from those organizations; provided further, that the department of public health shall award not less than $1,600,000 to the Massachusetts Alliance of Boys & Girls Clubs, Inc., which shall be distributed equally between the alliance's member organizations; provided further, that the department shall award not less than $900,000 to the Alliance of Massachusetts YMCAs, Inc., which shall be distributed between the alliance's member organizations; provided further, that not less than $50,000 shall be awarded to the Alliance of Massachusetts YMCAs, Inc. to maintain support for recent expansions of existing YMCAs to communities not historically served by a YMCA; and provided further, that not less than $100,000 shall be allocated for Crossroads for Kids for the expansion of their summer and year-round out-of-school program serving at-risk youth ……..…… $3,750,000".
The amendment was *rejected*.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4513-1111, by adding the following words:- "; and provided further, that not less than $50,000 shall be expended to fund Haitian-American Public Health Initiatives, Inc. to provide vital healthcare and education services to families and children in the Haitian community in the city of Boston and the town of Milton"; and by striking out the figure "$3,342,958" and inserting in place thereof the following figure:- "$3,392,958".
The amendment was adopted.

Mr. Petruccelli moved that the bill be amended in section 2, in item 4512-0200, by adding the following words:- "and provided further, that not less than $150,000 shall be expended for Self-Esteem Boston's direct services programs for women in the Metro-Boston region and provider training programs"; and by striking out the figure "$88,827,334" and inserting in place thereof the following figure:- $88,977,334".
The amendment was adopted.

Messrs. DiDomenico and Michael O. Moore, Ms. Jehlen, Messrs. Lewis, Donnelly, Wolf and Brownsberger, Ms. Forry, Ms. Creem and Messrs. Eldridge, Tarr and McGee moved that the proposed new text be amended in section 2, in item 4003-0122, by striking the figure "$341,096" and inserting in place thereof the following: "$441,096".
After remarks, the amendment was adopted.

Ms. Creem moved that the proposed new text be amended in section 2, in item 4513-1111, by inserting, after the the words "maintenance of the statewide lupus database" the following words:- "; and (xi) macular degeneration research, prevention, and treatment"; and by striking out the figures "$3,342,958" and inserting in place thereof the figures:- "$3,542,958".
The amendment was adopted.

Mr. Welch moved that the proposed new text be amended in section 2, by adding the following item:-
"1599-2004 For a reserve to be administered by the health policy commission to accelerate and support behavioral health integration within patient-centered medical homes, as certified by the commission under section 14 of chapter 6D of the general laws; provided, that this program will support efforts to build the partnerships and infrastructure needed to initiate or expand the provision of behavioral healthcare services within the primary care setting and may take the form of training, education, technical assistance, or direct grants; provided further, that the commission shall report to the joint committee on mental health and substance abuse and the house and senate committee on ways and means no later than 24 months following implementation of the program on the effectiveness, efficiency, and sustainability of the program; and provided further, that funds appropriated in this item shall not revert and shall be available for expenditure through June 30, 2016…… . $1,500,000".
The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4510-0110, by adding the following words:- "; and provided further, that not less than $50,000 shall be expended to form the Mattapan integrative care partnership pilot program, which shall include Mattapan Community Health Center, Inc., Mattahunt community center, Mattahunt elementary school and the Wheelock College social work department, to establish a behavioral health practice at Mattapan Community Health Center, Inc., to support a full-time licensed social worker to bring mental health care to the

community's youth and to improve the coordination of care"; and by striking out the figure "$1,037,840" and inserting in place thereof the following figure:- "$1,087,840".
The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting after the words "facilities" the following words:- "; provided further, that not less than $900,000 shall be expended for the LAL #000091 as designated by the Health Resources Services Administration located in the medically underserved area I.D. 01525 for purposes to include, but not limited to, addressing adult mental health and support services including the opiate addiction epidemic through the implementation of substance abuse treatment programs and other programs to ensure access to healthcare for anyone regardless of their ability to pay for services rendered".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting after the word "recoupment" the following words:- "; provided further that in calculating rates of inpatient and outpatient services for neonatal intensive care units, also known as (NICU), with at least 55 licensed beds with-in an acute hospital that has at least 109 pediatric intensive NICU beds, the executive office shall make a supplemental payment of not less than 1,000,000".
The amendment was *rejected*.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 5095-0015, by inserting at the end there of in line item 5095-0015 after the words "Taunton State Hospital" the following new text:- "provided further that the department shall develop an 18 bed state-operated pilot crisis stabilization unit which shall be fully operational 24 hours a day, 7 days a week that will provide evaluation, stabilization and referral to behavioral health patients who may otherwise be boarded in emergency rooms or spend longer periods in continuing and acute care units in the southeast area; on the campus of Taunton State Hospital, provided further their shall be coordination between the state agencies, authorities, departments and programs currently providing services or benefits to individuals receiving these services".
At fourteen minutes past seven o'clock, P.M., Mr. Pacheco doubted the presence of a quorum. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.
Subsequently, at seventeen minutes past seven o'clock P.M., a quorum was declared present.
After remarks, Mr. Pacheco moved that the question on adoption of the amendment be determined by a call of the yeas and the nays.
An insufficient number of members joining with him, the yeas and nays were not ordered.
The amendment was *rejected*.

Mr. Pacheco doubted the vote and asked for a standing vote; subsequently by a standing vote of 2 to 22, the amendment was *rejected*.

Mr. Lewis, Ms. Chandler and Ms. Spilka moved that the proposed new text be amended in section 2, inserting the following new section: -
"SECTION X. Section 1. Section 2H of chapter 111 of the General Laws, as appearing in the 2012 Official Edition, is amended to add in line 7 immediately after the phrase 'who shall serve as chairperson;' the following text: - the house and senate chairs of the joint committee on public health, the house and senate chairs of the joint committee on health care financing.
Section 2. Section 2H of chapter 111 of the General Laws, as appearing in the 2012 Official Edition, is amended to add the following three paragraphs after line 24: --
(c) The board shall evaluate the program authorized under section 2G and shall issue a report. The report shall include an analysis of all relevant data to determine the effectiveness and return on investment of the program including, but not limited to, an analysis of: (i) the extent to which the program impacted the prevalence of preventable health conditions; (ii) the extent to which the program reduced health care costs or the growth in health care cost trends; (iii) whether health care costs were reduced, and who benefited from the reduction; (iv) the extent to which workplace-based wellness or health management programs were expanded, and whether those programs improved employee health, productivity and recidivism; (v) if employee health and productivity was improved or employee recidivism was reduced, the estimated statewide financial benefit to employers; (vi) recommendations for whether the program should be discontinued, amended or expanded, as well as a timetable for implementation of the recommendations; and (vii) recommendations for whether the funding mechanism for the Prevention and Wellness Trust Fund should be extended beyond 2016, or whether an alternative funding mechanism should be established.
(d) The department shall contract with an outside organization with expertise in the analysis of health care financing to assist the board in conducting its evaluation. The outside organization shall, to the extent possible, obtain and use actual health plan data from the all-payer claims database as administered by the center for health information and analysis; provided, however, that such data shall be confidential and shall not be a public record under clause twenty-sixth of section 7 of chapter 4 of the General Laws.
(e) The board shall report the results of its evaluation and its recommendation, if any, together with drafts of legislation necessary to carry out such recommendation to the house and senate committees on ways and means, the joint committee

on public health and shall post the board's report on the department's website not later than January 31, 2017.
Section 3. Chapter 224 of the Acts of 2012 is hereby amended to strike and repeal Section 276."
After remarks, the amendment was adopted.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new sections:
"SECTION __. Section 2 of Chapter 18 as appearing in the 2012 Official Edition is hereby amended by inserting after the word 'section', in line 139, the following words:- ; and
(g) the recording and tracking of blank electronic benefit transfer cards that ensures the integrity of the cards and establishes a clear chain of custody and best practices in the shipment and custody of those cards; and
(h) the termination of benefits to any recipient who has failed to notify the department of a change of address and who the department has attempted to contact by certified mail, but whose mail communication has been returned to the department as undeliverable; provided, however, that the department, after receiving notice that the mail communication has been returned as undeliverable or returned with a Massachusetts forwarding address, shall use all available means to determine the address of the recipient and, in the event that it cannot be determined, subject the recipient's case to further review as to continued eligibility.
SECTION _. Subsection (b) of section 5I of said chapter 18, as appearing in section 2 of chapter 161 of the acts of 2012, is hereby amended by inserting after the word 'jewelry' the following words:- ; televisions, stereos, video games or consoles at rent-to-own stores.
SECTION _. Said chapter 18 is hereby further amended by striking out section 5J, as so appearing, and inserting in place thereof the following section:-
Section 5J. (a) The department shall maintain policies and practices as necessary to prevent cash assistance provided under this chapter from being used in electronic benefit transfer transactions at: liquor stores; casinos, gambling casinos or gaming establishments licensed under chapter 23K; retail establishments which provide adult-oriented entertainment in which performers disrobe or perform in an unclothed state for entertainment as defined in Section 408(a) of the Social Security Act, as amended; adult bookstores or adult paraphernalia stores as defined in section 9A of chapter 40A; firearms dealers licensed under section 122 of chapter 140 and ammunitions dealers licensed under section 122B of said chapter 140; tattoo parlors; manicure shops or aesthetic shops registered under chapter 112; jewelry stores; or on cruise ships. Such establishments shall not accept electronic benefit transfer cards. A store owner who knowingly allows a prohibited electronic benefit transfer transaction in violation of this section or subsection (b) of section 5I shall be punished by a fine of not more than $500 for a first offense, by a fine of not less than $500 nor more than $2,500 for a second offense and by a fine of not less than $2,500 for a third or subsequent offense.
(b) A store owner who knowingly violates this section and who also possesses a license to sell alcoholic beverages under section 12 of chapter 138 shall be referred to the appropriate licensing authority for possible disciplinary action under section 64 of said chapter 138. A store owner possessing a license under said section 12 of said chapter 138 who knowingly violates this section a second or subsequent time shall have its license suspended for not less than 30 days and shall be referred to the appropriate licensing authority for possible further disciplinary action under said section 64 of said chapter 138.
(c) A store owner who knowingly violates this section and who also possesses a license to sell lottery tickets under sections 26 and 27 of chapter 10 shall be referred to the director of the state lottery commission for possible disciplinary action. A store owner possessing a license under said section 26 or 27 of said chapter 10 who knowingly violates this section a second or subsequent time shall have its license suspended for not less than 30 days and shall be referred to the director of the state lottery commission for possible further disciplinary action.
SECTION _. Section 5L of said chapter 18, inserted by section 3 of said chapter 161, is hereby amended by adding the following subsection:-
(f) An individual who traffics food stamp benefits, as described in subsection (b) and on 2 prior occasions has been convicted of trafficking food stamp benefits under said subsection (b) or conspiracy to traffic food stamp benefits shall be punished by imprisonment in a state prison for not more than 10 years or by a fine of not more than $25,000 or both suchfine and imprisonment.
SECTION _. Said chapter 18 is hereby further amended by inserting after section 5N the following 2 sections:-
Section 5O. (a) The department shall include on the front of newly-issued and reissued electronic benefit transfer cards a photograph of the cardholder if the cardholder is 18 years of age or older. The department shall promulgate regulations to ensure that all members of the household are able to use the electronic benefit transfer card as required by 7 U.S.C.A. § 2016(h)(9) and to ensure that authorized users are able to use the electronic benefit transfer card.
The department shall promulgate regulations to allow for exemptions from the photo identification requirement for vulnerable populations which may include, but shall not be limited to, the elderly, blind, disabled and victims of domestic violence, as determined by the department.
In developing regulations for authorized users, the department shall consult with businesses or vendor associations whose members accept electronic benefit transfer cards as a form of payment including, but not limited to, the Massachusetts Food Association, the New England Convenience Store Association and the Retailers Association of Massachusetts.A store owner or employee shall check that the photograph on an electronic benefit transfer card matches the identity of the person making a purchase or follow the procedures for authenticating authorized users, as determined by the

department. A store owner shall be fined for each instance in which the store owner or an employee knowingly fails to check that the photograph on an electronic benefit transfer card matches the person making the purchase or that the purchaser is an authorized user of the electronic benefit transfer card and thereby permits an individual who is not authorized to use the card to purchase goods. The store owner shall be punished by a fine of not less than $100 nor more than $500 for a first offense, not less than $1000 nor more than $2,500 for a second offense and not less than $5,000 for a third and subsequent offense.

Upon a fourth offense within the same calendar year, the department may initiate a review of the establishment's authorization to accept electronic bank transfer cards, and may, consistent with the severity of the offenses recorded and to the extent permitted by state and federal law, temporarily or permanently revoke the establishment's authorization.

(b) The department shall include the fraud hotline number and department website on all newly issued electronic benefit transfer cards.

Section 5P. The department shall place any grantee that uses direct cash assistance issued by the commonwealth for purchases in states other than the commonwealth, New Hampshire, Connecticut, Rhode Island, New York, and Vermont in the high-risk client group under section 37. The purchase shall cause the department to issue a special case review of the grantee to ensure that the grantee is fully compliant with the income, asset, identity and residency requirements for the benefits and all other rules and regulations of the department.

SECTION _. Section 10 of said chapter 18, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following paragraph:-

Notwithstanding any general or special law to the contrary, 60 days before promulgating or amending any regulation that would alter eligibility for, or the level of benefits provided through the department, other than that which would benefit recipients, the department shall file with the house and senate committees on ways and means, the house and senate chairs of the joint committee on children, families and persons with disabilities and the clerks of the house of representatives and senate a report describing the changes and setting forth justification for any changes.

Section _. The department of transitional assistance shall develop a fraud detection program. The fraud detection program shall analyze the risk of fraud and refer any cases of suspected fraud to the program integrity division and the bureau of special investigations in the office of the state auditor. In analyzing risk of fraud and identifying cases for investigation, the program shall consider: (i) even dollar transactions; (ii) full benefit withdrawal; (iii) usage patterns; and (iv) other relevant data sources. In order to assist the program in identifying and investigating likely cases of fraud, the department shall develop and make available reports identifying even dollar transactions by cardholder, instances of full benefit withdrawal and other data reports, as necessary.

SECTION _. Chapter 118 of the General Laws is hereby amended by adding the following section:-

Section _. A temporary absence from the commonwealth which exceeds 30 calendar days shall create a rebuttable presumption that Massachusetts residency has been abandoned by a recipient of cash assistance under transitional aid to families with dependent children and the recipient is no longer eligible for assistance. The department of transitional assistance shall promulgate regulations in accordance with this section.

SECTION _. Notwithstanding any general or special law to the contrary, the department of transitional assistance shall develop, implement and maintain a system utilizing electronic and other technology to reduce the use of paper records and documentation and to eliminate the sole reliance on such paper records for its operations.

The system shall facilitate efficiency and accuracy in the submission and receipt of applications and related documents and the timely verification of the information so contained and to the maximum feasible extent to prevent the loss of the information and ensure its availability on a continuous basis for the functions performed by the department.

The system shall, to the maximum extent feasible, minimize the time and resources necessary to manage information, reduce the need for the resubmission of documents and verify the receipt of documents or information submitted. The system shall also facilitate the timely and efficient exchange of information.

The system shall be fully operational not later than 24 months following the passage of this act; provided, however, that it may be developed and implemented in stages but the department shall electronically submit quarterly reports to the clerks of the house and the senate on its progress; and provided further, that the reports shall identify any obstacles preventing progress including, but not limited to, resource constraints. The first report shall be filed by September 1, 2013.

SECTION _. Electronic benefit cards shall include a photograph of the cardholder under section 5O of chapter 18 of the General Laws by August 1, 2014. The department of transitional assistance shall consider utilizing the photograph databases of the registry of motor vehicles and the Massachusetts Bay Transportation Authority as a cost-saving measure. The department of transitional assistance shall work with the registry of motor vehicles to access and cross-share facial recognition data and resources for the purpose of identifying potential fraud by December 31, 2014. The department shall report any case where there is reason to believe that fraud has been committed to the bureau of special investigations, the district attorney or an appropriate law enforcement entity for such action as they may deem proper."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter before eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 12 — nays 27)* [Yeas and Nays No. 338]:

YEAS.

Donoghue, Eileen M.
O'Connor Ives, Kathleen

Hedlund, Robert L.
Pacheco, Marc R.

Humason, Donald F., Jr.
Ross, Richard J.

Lovely, Joan B.
Rush, Michael F.

Moore, Michael O.
Tarr, Bruce E.

Moore, Richard T.
Timilty, James E. − 12.

NAYS.

Barrett, Michael J.
Jehlen, Patricia D.

Brewer, Stephen M.
Joyce, Brian A.

Brownsberger, William N.
Keenan, John F.

Candaras, Gale D.
Kennedy, Thomas P.

Chandler, Harriette L.
Lewis, Jason M.

Chang-Diaz, Sonia
McGee, Thomas M.

Creem, Cynthia Stone
Montigny, Mark C.

DiDomenico, Sal N.
Petruccelli, Anthony

Donnelly, Kenneth J.
Rodrigues, Michael J.

Downing, Benjamin B.
Rosenberg, Stanley C.

Eldridge, James B.
Spilka, Karen E.

Finegold, Barry R.
Welch, James T.

Flanagan, Jennifer L.
Wolf, Daniel A. − 27.

Forry, Linda Dorcena

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

Ms. Candaras moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. The first paragraph of section 2 of chapter 112 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'board' in line 68 the following words:- ', provided further that this requirement shall not apply to any physician licensed prior to January 1, 1981'."
The amendment was *rejected*.

Ms. Lovely, Mr. Rodrigues, Ms. Spilka, Mr. Donnelly, Ms. Donoghue, Ms. Flanagan and Messrs. Brownsberger and Barrett moved that the proposed new text be amended in section 2, in item 5055-0000, by adding at the end thereof the following: "provided that funds may be expended for juvenile court clinics".
The amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended by inserting after section 61 the following section:-
"SECTION 61A. The first paragraph of section 2 of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after the second sentence the following 2 sentences:—The board shall require, as a standard of eligibility for licensure, that applicants demonstrate proficiency in the use of computerized physician order entry, e-prescribing, electronic health records and other forms of health information technology, as determined by the board and that applicants who certify deaths occurring in the commonwealth establish a user agreement with the registry of vital records and statistics within the department of public health and demonstrate proficiency in the use of vitals information partnership system. As used in this section, proficiency, at a minimum shall mean that applicants demonstrate the skills to comply with the 'meaningful use' requirements, as set forth in 45 C.F.R. Part 170.";
By inserting after section 85 the following section:-
"SECTION 85A. Sections 108 and 299 of chapter 224 of the acts of 2012 are hereby repealed.";
By inserting after section 125 the following section:-
"SECTION 125A. The board of registration in medicine shall, as a condition of registration under section 2 of chapter 112 of the General Laws, require that applicants who certify deaths occurring in the commonwealth establish a user agreement with the registry of vital records and statistics, within the department of public health, and demonstrate proficiency in the use of the vitals information partnership system"; and
By inserting after section 131 the following section:-
"SECTION 131A. Section 61A shall take effect on January 1, 2015."
The amendment was adopted.

Messrs. Barrett and Brownsberger, Ms. Jehlen and Mr. McGee moved that the proposed new text be amended in section 2, in item 4800-0015, by striking out the words "that not later than September 12, 2014, the department shall promulgate and implement regulations which shall ensure"; and by inserting after the words "but not yet issued as a final agency decision;" the following words:- "provided further, that the department shall maintain and make available to the public, during regular business hours, a record of its fair hearings, with identifying information removed, including for each hearing request: the date of the request, the date of the hearing decision, the decision rendered by the hearing officer and the final decision rendered upon the commissioner's review; provided further, that the department shall make redacted copies of fair hearing decisions available within 30 days of a written request; provided further, that the department shall not make available any information in violation of federal privacy regulations;".
The amendment was adopted.

Messrs. Rush and Eldridge, Ms. Candaras, Messrs. Donnelly, Lewis, Michael O. Moore and Ross, Ms. Spilka, Mr. Wolf, Ms. O'Connor Ives, Ms. Donoghue, Mr. Brownsberger, Ms. Creem, Messrs. Humason and Finegold, Ms. Forry, Messrs. Barrett, Joyce and Richard T. Moore, Ms. Jehlen and Ms. Chandler moved that the proposed new text be amended in section 2, in item 5046-0000, in line 10, by striking out the word "2014" and inserting in place thereof the word: "2013"; and by adding at the end thereof the following: "provided further that each funded clubhouse receive $200,000 in base funding, concurrent with the existing per person rate set by the executive office of health and human services under chapter 257 of the acts of 2008".
The amendment was *rejected*.

Messrs. Rush, Lewis, Ross and Downing, Ms. Forry, Mr. Richard T. Moore, Ms. O'Connor Ives and Messrs. Brownsberger, Michael O. Moore and Welch moved that the proposed new text be amended in section 2, in item 4590-0250, by adding at the end thereof the following: "For grants of no less than $350,000 to provide enrolled students' instruction in cardiopulmonary resuscitation (CPR) and the use of an automated external defibrillator (AED), provided the instruction must be based on an instructional program established by the American Heart Association or the American Red Cross or another program that is approved by the Department of Elementary and Secondary Education and is nationally recognized and uses the most current national evidence−based Emergency Cardiovascular Care guidelines and incorporates psychomotor skills development into the instruction; provided further, that all grant applications submitted to and approved by the department of elementary and secondary education shall include a detailed line-item budget specifying how the funds shall be allocated and expended based on a policy that requires all

students to instructed on CPR as a graduation requirement"; and by striking out the figures "12,378,145" and inserting in place thereof the figures "$12,728,145".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 4000-0600, by adding at the end thereof the following:- "provided further that the Secretary of the Executive Office of Health and Human Services shall conduct a review of the rate method used to set payment rates for Adult Foster Care services. This review shall be conducted by a collaborative workgroup comprised of EOHHS and MassHealth staff and provider and consumer representatives, and shall be completed with the issuance of a report capturing the conclusions of the workgroup by February 1, 2015. The review shall consider opportunities for adopting alternative payment methodologies that will: (i) promote caregiver recruitment and retention; (ii) foster improved consumer access and health outcomes; (iii) encourage providers to adopt quality and innovative program features that lower the growth of long-term care and health care costs; (iv) apply reimbursement principles used to price like services pursuant to Chapter 224 of the Acts of 2012".
After remarks, the amendment was adopted.

Mr. Welch, Ms. Chandler, Mr. Donnelly, Ms. Candaras and Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 4590-0925, by inserting after the word "campaign" the following words:- "; and provided further that the said prostate cancer and awareness program shall be a state-wide educational and awareness program within the Department of Public Health to improve prostate cancer care and patient outcomes in Massachusetts men. The goal of this program is to improve education and increase awareness of the most current advances in prostate cancer prevention, early diagnosis and treatment so that men, their caregivers and doctors will be empowered to make more informed and shared decisions on screening and other health care options. And provided further this program shall focus on men at high risk of prostate cancer, including individuals with African American ancestry, family history of the disease, and increasing age. The Department of Public Health will establish, manage and oversee the following critical components of the program:
(1) Establishment of the Massachusetts Prostate Cancer Strategic Task Force consisting of the key stakeholders in healthcare research, education, delivery, advocacy and policy in order to develop and implement consensus-based statewide short-term and long-term plans for the advancement of patient care, including decreased mortality and morbidity and improved quality of life; and
(2) Establishment of a grant program to support educational symposia with leading medical authorities, with the goal of educating providers, patients and their caregivers and other key healthcare stakeholders on the current and emerging knowledge of state-of-the-art patient care and related clinical trials in prevention, diagnosis and treatment. The educational symposia will be held in six major regions of the Commonwealth including Boston and integrated with state-wide community outreach to patients at high risk and a multi-media campaign for public awareness in collaboration with experts in communications, media and public relations. This funding will support an integrated program of Massachusetts-based not-for-profit organizations that have demonstrated experience and a proven track record in prostate cancer public awareness and education, with a focus on facilitating transfer of cutting-edge scientific advances from laboratories to clinics. Said program shall be coordinated by AdMeTech Foundation working in cooperation with the Massachusetts Prostate Cancer Coalition and Men of Color Health Awareness".
The amendment was *rejected*.

Mr. Welch, Ms. Spilka, Ms. Candaras, Messrs. Brownsberger, Richard T. Moore and Rush, Ms. Forry, Ms. O'Connor Ives and Messrs. Kennedy, DiDomenico, McGee and Michael O. Moore moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Effective July 1, 2014, MassHealth and any commercial insurer that insures MassHealth subscribers shall provide double electric breast pumps to expectant and new mothers as specifically prescribed by their attending physician, consistent with the provisions of the Patient Protection and Affordable Care Act of 2010, Pub. L. 111-148."
After remarks, the amendment was adopted.

Mr. McGee moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION XXX. Section 13 of chapter 6D of the General Laws, most recently amended by chapter 60 of the acts of 2013, is hereby further amended by adding the following subsection:-
(l) A licensed provider organization, before making any material changes as provided in this section, shall first obtain approval from: (i) the city council, in the case of a city, or the board of selectmen, or its equivalent, in the case of a town, for the municipality where the provider organization is located; and (ii) the municipal board of health, municipal health department or regional health district exercising powers and duties pursuant to chapter 111 over the municipality or district where the provider organization is located.".
The amendment was *rejected*.

Ms. Lovely, Ms. Spilka, Ms. Candaras, Mr. Humason, Ms. O'Connor Ives and Messrs. Barrett, Brownsberger, Finegold, Joyce, Kennedy and Montigny moved that the proposed new text be amended in section 2, in item 5920-5000, by striking out the figure: "$6,500,000" and inserting in place thereof the following figure: "$8,500,000".
After remarks, the amendment was *rejected*.

Mr. Barrett, Ms. Creem and Mr. Brownsberger moved that the proposed new text be amended in section 2, by inserting after item 1599-7770, the following item:-
"xxxx-xxxx For a department of children and families administrative hearing system process evaluation reserve; provided, that the office of the child advocate shall select an independent evaluator to assess the department's administrative hearing system; provided further, that the evaluation shall report on whether the department's regulations, funding, staffing levels and processes provide for an administrative hearing system that is: (i) timely, including an analysis of the amount of time allocated to or the causes of any delays (A) between when a hearing request is filed and the first day of the hearing, (B) between the first day of the hearing and the hearing officer's decision, (C) between the hearing officer's decision and the department's final decision, (D) from requests by any party for a continuance and (E) from appealing the department's final decision; (ii) independent, including an analysis of any possible bias on the part of hearing officers in favor of the department or against certain classes of appellants; and (iii) fair, including an analysis of any disparities in accessing resources, information or legal counsel that may inherently favor the department over appellants; provided further, that the evaluator shall be selected through a competitive procurement in which the office of the child advocate shall consider researchers with experience in: (1) conducting process evaluations across a wide array of administrative or civil justice systems; (2) child welfare issues, including abuse and neglect; (3) socioeconomic disparities among residents in successfully petitioning court or administrative hearing systems for redress; (4) extracting and analyzing court or hearing data; (5) quantitative and qualitative evaluations; and (6) cost benefit analysis as it relates to funding government operations; provided further, that the office of the child advocate shall select the evaluator not later than October 1, 2014; provided further, that preference shall be given to not-for-profit organizations; provided further, that the evaluator shall provide quarterly progress updates to the house and senate clerks, the house and senate committees on ways and means and the house and senate co-chairs of the joint committee on children, families and persons with disabilities beginning on November 1, 2014; provided further, that the evaluator shall provide a preliminary report on their findings to the house and senate clerks, the house and senate committees on ways and means and the house and senate co-chairs of the joint committee on children, families and persons with disabilities not later than March 15, 2015; and provided further, that this item shall not revert and shall be made available for these purposes through June 30, 2015..... $200,000".
After remarks, the amendment was adopted.

Messrs. Wolf, Donnelly, Rodrigues, Petruccelli, Eldridge and DiDomenico, Ms. Lovely, Ms. Chang-Diaz, Ms. Creem, Messrs. Finegold and Barrett, Ms. Jehlen and Mr. Montigny moved that the proposed new text be amended in section 2, in item 4513-1000, by striking the figure "$4,923,599" and inserting in place thereof the following figure "$6,200,000".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the commonwealth, by and through the governor or the governor's designee shall formally request a federal waiver under The Patient Protection and Affordable Care Act, Pub. L. 111-148 & 111-152, including but not limited to a waiver under Section 1332 of the Act, so that any person may keep the healthcare plan he or she had prior to the passage of the Act. All negotiations with any federal agency concerning this waiver shall be conducted in consultation with the house and senate chairs and ranking minority members of the joint committee on health care financing. The governor or the governor's designee shall file a detailed report describing the waiver application and waivers received, along with all documentation, including, but not limited to, all related written and verbal responses from the department of health and human services, with the clerks of the senate and house not later than December 31, 2014. The governor shall report monthly to the joint committee on health care financing and the house and senate committees on ways and means on the status of the waiver request under this section."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes past eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 34)* [Yeas and Nays No. 339]:

YEAS.

Hedlund, Robert L.	**Tarr, Bruce E.**
Humason, Donald F., Jr.	**Timilty, James E. − 5.**
Ross, Richard J.	

NAYS.

Barrett, Michael J.	**Keenan, John F.**
Brewer, Stephen M.	**Kennedy, Thomas P.**
Brownsberger, William N.	**Lewis, Jason M.**
Candaras, Gale D.	**Lovely, Joan B.**
Chandler, Harriette L.	**McGee, Thomas M.**
Chang-Diaz, Sonia	**Montigny, Mark C.**
Creem, Cynthia Stone	**Moore, Michael O.**
DiDomenico, Sal N.	**Moore, Richard T.**
Donnelly, Kenneth J.	**O'Connor Ives, Kathleen**
Donoghue, Eileen M.	**Pacheco, Marc R.**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rodrigues, Michael J.**
Finegold, Barry R.	**Rosenberg, Stanley C.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Jehlen, Patricia D.	**Welch, James T.**
Joyce, Brian A.	**Wolf, Daniel A. − 34.**

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

Messrs. Wolf and Barrett, Ms. Jehlen, Messrs. Lewis and DiDomenico, Ms. Spilka, Mr. Michael O. Moore, Ms. Candaras, Messrs. Brownsberger, Eldridge and Donnelly, Ms. Creem, Ms. Forry, Ms. Chang-Diaz, Messrs. McGee, Finegold, Joyce, Kennedy and Downing and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 4403-2000, by inserting after the words “standard in effect in fiscal year 2014” the following:- plus 15 percent; and by striking the

figure "$253,180,145" and inserting in place thereof the following figure:- $289,180,145.
The amendment was *rejected*.

Mr. Eldridge, Ms. Spilka and Messrs. Donnelly and Lewis moved that the proposed new text be amended by inserting after section 19, the following section:-
"SECTION 19A. Section 7 of chapter 18B of the General Laws, as so appearing, is hereby amended by adding the following subsection:-
(o) The commissioner shall require all social workers employed by the department to obtain a license as a social worker pursuant to section 131 of chapter 112 within the first 6 months of employment. The commissioner shall require social workers employed by the department to participate in not less than 30 hours per year of paid professional development training; provided, however, that such training shall be consistent with applicable collective bargaining agreements. The commissioner of children and families may promulgate regulations to establish a hardship waiver process to ensure access for underserved populations."
After remarks, the amendment was adopted.

Messrs. Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION __. The inspector general shall conduct a review and investigation of the medical marijuana licensing process conducted by the department of public health. The review shall include but not be limited the following: the integrity of the department's licensing process; whether the department adhered to its licensing procedures; the veracity of statements made in applicants' written submissions; and the costs incurred in the licensing process. The inspector general shall file a report of its findings along with recommendation for reform to the clerks of the house and senate no later than 30 days after passage of this act.
Notwithstanding any general or special law to the contrary, no licenses shall be awarded under Chapter 369 of the Acts of 2012 until at least 30 days after the inspector general files its report."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twelve minutes past eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 12 — nays 27)* [Yeas and Nays No. 340]:

YEAS.

Chang-Diaz, Sonia	**Lovely, Joan B.**
Donoghue, Eileen M.	**O'Connor Ives, Kathleen**
Hedlund, Robert L.	**Ross, Richard J.**
Humason, Donald F., Jr.	**Rush, Michael F.**
Joyce, Brian A.	**Tarr, Bruce E.**
Kennedy, Thomas P.	**Timilty, James E. − 12.**

NAYS.

Barrett, Michael J.	**Keenan, John F.**
Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**McGee, Thomas M.**
Candaras, Gale D.	**Montigny, Mark C.**

Chandler, Harriette L.	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**Pacheco, Marc R.**
Donnelly, Kenneth J.	**Petruccelli, Anthony**
Downing, Benjamin B.	**Rodrigues, Michael J.**
Eldridge, James B.	**Rosenberg, Stanley C.**
Finegold, Barry R.	**Spilka, Karen E.**
Flanagan, Jennifer L.	**Welch, James T.**
Forry, Linda Dorcena	**Wolf, Daniel A. − 27.**
Jehlen, Patricia D.	

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

Mr. Joyce moved that the proposed new text be amended by inserting after section __, the following new section:-
“SECTION __.There shall be a commission to study and make recommendations to the legislature about: (i) the pricing and taxing of marijuana, products that contain marijuana and supplies related to the use of marijuana and (ii) how to ensure adequate access to marijuana for medical purposes to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to access reasonable transportation or the lack of a treatment center within a reasonable distance of the patient's residence.
The commission shall be comprised of: the commissioner of public health or a designee; the secretary of health and human services or a designee; the secretary of administration and finance or a designee; the commissioner of the department of revenue or a designee; the senate and house chairs of the joint committee on public health; the senate and house chairs of the joint committee on revenue; the senate and house chairs of the joint Committee on state administration and regulatory oversight; the senate chair of the senate committee on bonding, capital expenditures and state assets; and 1 member of the house of representatives.
The commission shall issue its final report not later than 60 days from the effective date of this act. The report shall include the findings of the commission along with drafts of any legislation necessary to effectuate the commission's recommendations and shall be filed with the clerks of the senate and house of representatives."
Pending the question on adoption of the amendment (Joyce) Mr. Keenan moved that the pending amendment be amended by inserting at the end the following new section:-
“SECTION __. Chapter 369 of the Acts of 2012 is hereby further amended by striking Section 11 and inserting in place thereof the following:-
Section 11. Guarantee of Patient Access.
The Department shall additionally promulgate regulations to ensure adequate access to marijuana for medical purposes to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to access reasonable transportation, or the lack of a treatment center within a reasonable distance of the patient's residence.
Such regulations may include, but need not be limited to, requirements that a medical marijuana dispensary demonstrate the ability to provide a product at low cost or no cost to patients limited by financial hardship, and the ability to establish an adequate delivery system that enables all qualifying patients within the county of the treatment center’s registration, including those patients with physical limitations, to receive medical marijuana and related products by delivery to their homes.”

The further amendment (Keenan) was *rejected*.
The pending amendment (Joyce) was then considered, and it was adopted.

Messrs. Joyce, Barrett and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new sections:
"SECTION __. Chapter 396 of the Acts of 2012, is hereby amended by striking out 'and thereby make this law revenue neutral.'
SECTION __. Chapter 369 of the Acts of 2012 is hereby further amended by inserting at the end thereof the following new section:-
Section __. Medical marijuana shall not be considered a medicine under section 6(L) of chapter 64H of the General Laws."
Pending the question on adoption of the amendment (Joyce) Mr. Keenan moved that the pending amendment be amended by inserting at the end the following new section:-
"SECTION __. Chapter 369 of the Acts of 2012 is hereby further amended by striking Section 11 and inserting in place thereof the following:-
Section 11. Guarantee of Patient Access.
The Department shall additionally promulgate regulations to ensure adequate access to marijuana for medical purposes to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to access reasonable transportation, or the lack of a treatment center within a reasonable distance of the patient's residence.
Such regulations may include, but need not be limited to, requirements that a medical marijuana dispensary demonstrate the ability to provide a product at low cost or no cost to patients limited by financial hardship, and the ability to establish an adequate delivery system that enables all qualifying patients within the county of the treatment center's registration, including those patients with physical limitations, to receive medical marijuana and related products by delivery to their homes."
The further amendment (Keenan) was *rejected.*
The pending amendment (Joyce) was then considered, and it was *rejected.*

Mr. Joyce moved that the proposed new text be amended by inserting at the end thereof the following new sections:
"SECTION __. Chapter 396 of the Acts of 2012, is hereby further amended by striking out 'and thereby make this law revenue neutral.'
SECTION __. Chapter 369 of the Acts of 2012 is hereby amended by inserting at the end thereof the following new section:-
Section __. Any food or beverage that contains marijuana or marijuana derivatives shall not be exempt from the sales tax under Section 6 of Chapter 64H of the General Laws, and shall be subject to any applicable local option meals excise under Chapter 64L of the General Laws."
Pending the question on adoption if the amendment (Joyce) Mr. Keenan moved that the pending amendment be amended by inserting at the end the following new section:-
"SECTION __. Chapter 369 of the Acts of 2012 is hereby further amended by striking Section 11 and inserting in place thereof the following:-
Section 11. Guarantee of Patient Access.
The Department shall additionally promulgate regulations to ensure adequate access to marijuana for medical purposes to a qualifying patient whose access to a medical treatment center is limited by verified financial hardship, a physical incapacity to access reasonable transportation, or the lack of a treatment center within a reasonable distance of the patient's residence.
Such regulations may include, but need not be limited to, requirements that a medical marijuana dispensary demonstrate the ability to provide a product at low cost or no cost to patients limited by financial hardship, and the ability to establish an adequate delivery system that enables all qualifying patients within the county of the treatment center's registration, including those patients with physical limitations, to receive medical marijuana and related products by delivery to their homes."
The further amendment (Keenan) was *rejected.*
The pending amendment (Joyce) was then considered, and it was *rejected.*

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended by inserting after section__, the following section:-
"SECTION __. The executive office of health and human services, in consultation with the executive office for administration and finance and the Massachusetts Health Connector, shall report to the general court on the status of federal reimbursement to the commonwealth for temporary health insurance coverage extended to Massachusetts residents under the provisions of the federal Patient Protection and Affordable Care Act, Pub. L. 111-148 & 111-152. Said report shall include, but not be limited to, the following: 1) the rate of reimbursement for federal participation for individuals determined eligible for and receiving temporary coverage subsidized in part or in whole by the commonwealth; 2) the rate of reimbursement for federal participation for those individuals receiving any temporary benefits from the state who, upon final processing of the application for said benefits, are deemed ineligible for state

health insurance benefits; 3) information, including any correspondence or electronic communication, on the formal agreement between the commonwealth and the federal government as to the rates of reimbursement for federal participation for those individuals deemed eligible and those deemed ineligible for state benefits; 4) and the anticipated revenues related to reimbursement from the federal participation for fiscal years 2014 and 2015; 5) the current status of processing applications submitted pursuant to said federal act beginning on January 1, 2014 and 6) the impact on that any adjustments to the current processing system may have on the rate of approving or denying applications for state benefits and the associated impact any new system may have on the rate of federal participation.
Said report shall be filed with the clerks of the house and senate by no later than December 31, 2014."
After remarks, the amendment was *rejected*.

Mr. Eldridge, Ms. Creem, Mr. Donnelly, Ms. Forry and Messrs. DiDomenico, Brownsberger, Michael O. Moore, Finegold, Lewis and Barrett moved that the proposed new text be amended in section 2, in item 4513-1130, by inserting at the end thereof the following:- "; and provided further, that funds shall be expended for the public health model of community engagement and intervention services for crisis housing for sexual violence and intimate partner violence in the lesbian, gay, bisexual, transgender, and questioning communities"; and by striking out the figures "$5,752,078"; and inserting in place thereof the figures: "$7,350,000".
After remarks, the amendment was *rejected*.

Mr. Richard T. Moore, Ms. Lovely, Ms. Jehlen, Mr. McGee, Ms. Creem and Mr. Barrett move to amend the proposed new text by inserting after section 59, the following section:-
"SECTION 59A. Section 57D of chapter 111 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-
The department shall issue for a term of 2 years and renew for a like term a license to maintain a hospice program to any organization it considers responsible and suitable to maintain such a program. Hospice program licensees shall be subject to suspension, revocation or refusal to renew for cause. The department shall determine the initial fee and renewal cost of the license. Prior to issuing a new license, the department shall review: (i) the number of inpatient hospice facilities within the applying licensee's proposed regional area operating under this section and (ii) make a determination as to whether the proposed geographic region has a demonstrated need for the inpatient hospice program proposed by the applying licensee. The department shall not approve an application for an inpatient hospice program unless the department has established that the geographical region where the proposed inpatient hospice program is located has a demonstrated need for the inpatient hospice program.".
After remarks, the amendment was adopted.

Messrs. Richard T. Moore, Michael O. Moore, Rodrigues and Barrett moved that the proposed new text be amended in section 2, in item 5911-1003, by adding at the end thereof the following:- "; and provided further, that no less than the amount appropriated in this item in Chapter 139 of the acts of 2012 shall be expended for the Massachusetts Down Syndrome Congress;"; and by striking out the figure "64,962,455" and inserting in place thereof the following figure:- "65,062,455".
The amendment was adopted.

Mr. Richard T. Moore and Ms. Creem moved that the proposed new text be amended by inserting after section xx, the following new sections:-
"SECTION X. Section 12 of chapter 118E of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following new paragraph:-
The division and its contractors shall classify a medical assistant recipient as requiring or receiving observation services based on the medical judgment of the treating health care provider after due consideration of the recipient's initial presenting signs and symptoms. If the treating health care provider anticipates greater than 48 hours diagnostic assessment, the recipient shall be deemed admitted to the facility as an inpatient. The division and its contractors shall provide the health care provider an opportunity to seek reconsideration of an adverse determination from a clinical peer reviewer should the division or its contractors seek to retroactively reclassify the recipient from an approved inpatient authorization to observation, for either a portion or the entire stay, based upon the division's clinical review criteria.
SECTION X. Section 12 of chapter 176O, as so appearing, is further amended by inserting the following new subsection:
(g) The carrier and its contractors shall classify an insured as requiring or receiving observation services based on the medical judgment of the treating health care provider after due consideration of the insured's initial presenting signs and symptoms. If the treating health care provider anticipates greater than 48 hours diagnostic assessment, the insured shall be deemed admitted to the facility as an inpatient. The carrier and its contractors shall provide the health care provider an opportunity to seek reconsideration of an adverse determination from a clinical peer reviewer should the carrier or its contractors seek to retroactively reclassify the insured from an approved inpatient authorization to observation, for either a portion or the entire stay, based upon the carrier's clinical review criteria.
SECTION X. Notwithstanding the provisions of section 245 of chapter 224 of the acts of 2012, the executive office of health and human services shall seek from the secretary of the United States Department of Health and Human Services a statewide waiver from the Medicare requirement set forth in 42 U.S.C. §1395x(i) that an admission to a skilled nursing facility be preceded by a 3-day inpatient hospital stay. The secretary shall report within 90 days to the clerks of the house

and senate, the joint committee on health care financing and the house and senate committees on ways and means on the status of the waiver sought under this section."
After remarks, the amendment was *rejected*.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, by inserting after item 4510-3008, the following item:-
"4510-xxxx For a grant to establish a Massachusetts Down Syndrome Clinic based on the patient centered medical home concept at the UMass Memorial Children's Medical Center ……$150,000".
The amendment was adopted.

Messrs. Humason, Tarr and Welch moved that the proposed new text be amended in section 2, in item 5920-2025, by adding at the end thereof the following: ", and provided further, that the department shall not reduce the availability or decrease funding for sheltered workshops serving persons with disabilities who voluntarily seek or wish to retain such employment services".
The amendment was *rejected*.

Ms. Spilka, Messrs. Lewis, Rodrigues, Barrett, Donnelly and Eldridge, Ms. Candaras, Mr. Welch, Ms. Forry, Messrs. Keenan, Humason, DiDomenico, Brownsberger, Montigny and Richard T. Moore, Ms. Chang-Diaz, Ms. O'Connor Ives, Messrs. Finegold, Kennedy and Downing, Ms. Jehlen, Mr. Michael O. Moore and Ms. Lovely moved that the proposed new text be amended in section 2, by inserting after item 1599-4444, the following line item:-
"1599-6901 For a reserve to adjust the wages, compensation or salary and associated employee-related costs to personnel earning less than $40,000 in annual compensation who are employed by private human service providers that deliver human and social services under contracts with departments within the executive office of health and human services and the executive office of elder affairs; provided, that home care workers shall be eligible for funding from this item; provided further, that workers from shelters and programs that serve homeless individuals and families that were previously contracted through the department of transitional assistance and the department of public health currently contracted with the department of housing and community development and direct care workers that serve homeless veterans through the department of veterans' services shall be eligible for funding from this item; provided further, that the secretary of administration and finance may allocate the funds appropriated in this item to the departments to implement this initiative; provided further, that the executive office of health and human services shall condition the expenditure of appropriation upon assurances that the funds shall be used solely for the purposes of equal percentage adjustments to wages, compensation or salary; provided further, that not later than January 15, 2015, the executive office of health and human services shall submit to the house and senate committees on ways and means a report delineating the number of employees, by job title and average salary, receiving the adjustment in fiscal year 2015 and the average percentage adjustment funded in this item; provided further, that the report shall also include, for each contract scheduled to receive any allocation from this item in each such department, the total payroll expenditures in each contract for the categories of personnel scheduled to receive the adjustments; provided further, that no funds from this item shall be allocated to special education programs under chapter 71B of the General Laws, contracts for early education and care services or programs for which payment rates are negotiated and paid as class rates as established by the executive office of health and human services; provided further, that no funds shall be allocated from this item to contracts funded exclusively by federal grants as delineated in section 2D; provided further, that the total fiscal year 2015 costs of salary adjustments and any other associated employee costs authorized thereunder shall not exceed $8,000,000; provided further, that funds for this account shall be distributed not later than 160 days after the effective date of this section; provided further, that the executive office health and human services shall submit an allocation schedule to the house and senate committees on ways and means not less than 30 days after disbursement of funds; and provided further, that the annualized cost of the adjustments in fiscal year 2016 shall not exceed the amount appropriated in this item……..… $8,000,000".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-four minutes before nine o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 341]:

YEAS.

Barrett, Michael J.	**Kennedy, Thomas P.**
Brewer, Stephen M.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**

Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**O'Connor Ives, Kathleen**
Donnelly, Kenneth J.	**Pacheco, Marc R.**
Donoghue, Eileen M.	**Petruccelli, Anthony**
Downing, Benjamin B.	**Rodrigues, Michael J.**
Eldridge, James B.	**Rosenberg, Stanley C.**
Finegold, Barry R.	**Ross, Richard J.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Hedlund, Robert L.	**Tarr, Bruce E.**
Humason, Donald F., Jr.	**Timilty, James E.**
Jehlen, Patricia D.	**Welch, James T.**
Joyce, Brian A.	**Wolf, Daniel A. - 39.**
Keenan, John F.	

NAYS − 0.

The yeas and nays having been completed at twenty-one minutes before nine o'clock P.M., the amendment was adopted.

Ms. Candaras and Mr. Welch moved that the proposed new text be amended in section 2, in item 8910-1010, by striking out the figure "$896,387" and inserting in place thereof the following figure:- "$1,013,157".
After remarks, the amendment was adopted.

Messrs. Rosenberg and Downing moved that the proposed new text be amended by inserting after section 122, the following section:-
"SECTION 122A. (a) Notwithstanding any general or special law to the contrary, the accumulated deductions, including

interest, computed as the actuarial assumed interest, credited as of July 1, 2014 to the annuity savings accounts of persons actively employed by the Franklin regional council of governments who are active members of the Franklin regional retirement system and otherwise eligible for membership in the state employees retirement system, shall be transferred to the state employees' retirement system. The public employee retirement administration commission shall certify to the state board of retirement that the amounts transferred under this act are accurate.

(b) Upon completion of the required documentation and acceptance by the state board of retirement under applicable laws and regulations, persons actively employed by the Franklin regional council of governments who are active members of the Franklin regional retirement system shall become members of the state employees' retirement system as of July 1, 2014 and shall be subject to the rules and regulations of state employees' retirement system.

The Franklin regional council of governments and the Franklin regional retirement system shall transfer to the state board of retirement all records related to the employment of persons affected by this section related to their membership in the Franklin regional retirement system.

For any transferred employee under this section, determinations related to the membership, retirement benefits including, but not limited to, eligibility for benefits, creditable service amounts, accumulated retirement deductions and interest and group classifications shall be made solely by the state board of retirement.

(c) Under paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws, the Franklin regional retirement system shall reimburse the state employees' retirement system and any other retirement system governed by said chapter 32 for its pro rata share of the amount of any retirement allowance paid to employees transferred under this section that is attributable to their creditable service while employees of the Franklin regional council of governments and members of the Franklin regional retirement system. This subsection shall have no effect on: (i) any other liability under said chapter 32 that the Franklin regional retirement system may have to the state employees' retirement system system or any other applicable retirement system; or (ii) any liability related to former employees of the Franklin regional council of governments.

This section shall apply to former employees of the Franklin regional council of governments that are inactive members of the Franklin regional retirement system as of July 1, 2014, that return to active service with the Franklin regional council of governments on or after July 1, 2014 and become members of the state employees' retirement system; provided, however, that any such former employees shall be subject to the normal transfer procedures under applicable laws and regulations.

The Franklin regional retirement system shall reimburse the state employees' retirement system and any other retirement system governed by chapter 32 of the General Laws for its pro rata share of the amount of any retirement allowance paid to such employees. The state employees retirement system shall not be responsible under paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws or any other general or special law for the creditable service of former employees of the Franklin regional council of governments who were members of the Franklin regional retirement system and are not actively employed by Franklin regional council of governments and not also members of the Franklin regional retirement system as of July 1, 2014.

(d) The state board of retirement shall not be responsible for any amount of retirement allowance, pension, disability allowance or other benefit under said chapter 32 of the General Laws for any employee, retiree, survivor or beneficiary of the Franklin regional council of governments due or otherwise in effect on or before July 1, 2014 from the Franklin regional retirement system or for any portion of any unfunded liability that may exist for an employee, survivor or beneficiary of the Franklin regional council of governments related to the Franklin regional retirement system. The state board of retirement shall not be responsible for benefits related to any disability retirement application that has been filed or may be pending with the Franklin regional retirement board or with the public employee retirement administration commission as of July 1, 2014 or for benefits related to any disability retirement applications that arise out of injuries that occurred prior to July 1, 2014.

The state board of retirement shall not be responsible for liability for any service accrued prior to July 1, 2014 by retirees of the Franklin regional council of governments that are retirees of the Franklin regional retirement system as of July 1, 2014, that return to active service with the Franklin regional council of governments on or after July 1, 2014 and become members of the state employees' retirement system with the intention of reinstatement as provided in section 105 of chapter 32 of the General Laws. Any repayment of retirement allowance shall be made to the Franklin regional retirement system, which shall retain liability for service accrued by the reinstated member while a member of the Franklin regional retirement system and shall be subject to the normal transfer procedures under applicable laws and regulations.

Employees of the Franklin regional council of governments shall be eligible for membership in the state employees' retirement system only if they meet the state board of retirement's membership requirements. The Franklin regional council of governments shall conform to the state board of retirement's payroll reporting requirements."

The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 1102-3199, by striking the figures "$10,289,943" and inserting in place thereof the figures "$13,689,943".

The amendment was adopted.

Mr. Barrett and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 0610-0010, by adding at the end thereof the following:- “provided further, that $60,000 be expended for Budget Buddies of Chelmsford to operate a pilot program that mentors and teaches financial literacy to women”; and by striking out the figure “$100,000” and inserting in place thereof the figure “$160,000”.
The amendment was adopted.

Messrs. Tarr, Hedlund, Ross and Humason moved that the proposed new text be amended in section 2, in item 1100-1100, by adding at the end therefor the following:- "provided further, that not later than nine months following the passage of this act, the secretary shall create a report detailing efforts to reduce avoidable expenses of state government and to find and implement efficiences that will reduce cost and improve services by the administration, provided that said report shall be filed with the clerks of the house and senate and the house and senate committee on ways and means".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- “provided further, that not less than $500,000 shall be expended for the Blue Hills Trailside Museum”; and by striking out the figure “$41,625,332” and inserting in place thereof the following figure:- “$42,125,332”.
The amendment was adopted.

Ms. Donoghue moved that the proposed new text be amended in section 2, in item 2800-0501, by adding the following words:- “; and provided further, that $400,000 shall be expended to provide for the building and maintenance of splash pads in the city of Lowell”; and by striking out the figure “$14,080,812” and inserting in place thereof the following figure:- “$14,480,812”.
The amendment was adopted.

Messrs. Tarr and Hedlund moved that the proposed new text be amended in section 2, in item 2330-0100, by inserting after the word “action;” the following:- “provided further, that not less than $133,000 shall be expended for a Great Marsh Green Crab trapping program;”; and by striking out the figure “$5,214,213” and inserting in place thereof the figure “$5,347,213”.
The amendment was adopted.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 2330-0100, by inserting after "fisheries;" the following: “provided further that $50,000 shall be expended for the protection and maintenance of the Herring Run, located in the Town of Weymouth;"; and by striking out the figures "5,214,213" and inserting in the place thereof the figures "5,264,213".
The amendment was adopted.

Mr. Tarr and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 2300-0101, by inserting after the word “entities” the following:- “; provided, that $50,000 shall be expended to continue a phragmites mitigation plan in marshes between the city of Gloucester and the town of Salisbury, including high-resolution salinity mapping”; and by striking out the figure “$507,405” and inserting in place thereof the figure “$557,405”.
The amendment was adopted.

Mr. Kennedy moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- “; and provided further, that not less than $50,000 shall be allocated for the Central Plymouth County Water District Commission for the improvement and management of lakes and ponds in the Central Plymouth County Water District”; and by striking out the figure “41,625,332” and inserting in place thereof the following figure:- “41,675,322”.
The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- “provided further, that not less than $50,000 shall be expended for the Community Boating, Inc of New Bedford for operational expenses and programming for financially disadvantaged children”; and by striking out the figures “41,625,332” and inserting in place thereof the following figures:- “41,675,332”.
The amendment was adopted.

Mr. Wolf moved that the proposed new text be amended in section 2, by inserting after item 2000-1700, the following item:
“xxxx-xxxx For the Executive Office of Energy & Environmental Affairs, which shall apply $750,000 toward the acquisition in fee or restriction of a 30-acre property, more or less, in the town of Dennis, bounded by Chapin Beach Road and Chase Garden Creek; provided that said property is currently comprised of 40 acres, more or less, and utilized by Aquaculture Research Corporation, and that a 10-acre parcel, more or less, will be subdivided and remain in use for active aquaculture; provided also that the 30-acre property, more or less, may be acquired by grant to a state agency, non-profit or municipality for conservation purposes, to be protected under Article 97 of the Amendments to the

Constitution…….… $750,000".
The amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- "; and provided further, that $250,000 shall be expended for the planning, design and reconstruction of the children's playground and baseball field at Ventura Park in the Dorchester section of the city of Boston"; and by striking out the figure "$41,625,332" and inserting in place thereof the following figure:- "$41,875,332".
The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 4510-0600, by inserting at the end thereof the following:- "and provided further, that the department shall use funds to respond in a timely manner to external peer review comments on their 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 any connection with the incidence of childhood cancer in the town of Wilmington".
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- "; and provided further, that not less than $22,500 shall be expended for additional police patrols at Wallum Lake in the town of Douglas"; and by striking out the figure "$41,625,332" and inserting in place thereof the following figure:- "$41,647,832".
The amendment was adopted.

Mr. Downing moved that the proposed new text be amended in section 2, in item 7004-0102, by inserting at the end thereof the following:- "; and provided further, that $150,000 shall be expended to Berkshire County Regional Housing Authority for the purpose of coordinating homeless shelters and safety net services in Berkshire County;"; and by striking out the figures "$40,551,657" and inserting in place thereof the following figures:- "$40,701,657".
The amendment was adopted.

Messrs. Michael O. Moore and DiDomenico move that the proposed new text be amended in section 2, in item 2810-0100, by adding the following words:- "; and provided further, that not less than $80,000 shall be expended for the Dr. Arthur and Dr. Martha Pappas Recreation Complex in the town of Auburn"; and by striking out the figure "41,625,332" and inserting in place thereof the following figure:- "41,705,332".
The amendment was adopted.

Mr. Petruccelli, Ms. Forry and Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7003-0803, by adding the following words:- "; provided, that not less than $300,000 shall be expended for the one-stop career center JobNet in the Boston service delivery area"; and by striking out the figure "4,494,467" and inserting in place thereof the following figure:- "4,794,467".
The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "provided further, that not less than $75,000 shall be expended for the Frederick Douglass House in New Bedford; provided further, that not less than $ 75,000 shall be expended for the Ocean Explorium in New Bedford to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the Greater New Bedford area; provided further, that not less than $50,000 shall be expended for the Buttonwood Park Zoological Society to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the Greater New Bedford area; provided further, that not less than $75,000 shall be expended for AHA! Art, History & Architecture New Bedford to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the Greater New Bedford area; provided further, that not less than $ 25,000 shall be expended for the New Bedford Festival Theatre to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the Greater New Bedford area; and provided further, that not less than $50,000 shall be expended for the Dennison Memorial Community Center New Bedford"; and by striking out the figure "10,933,979" and inserting in place thereof the following figure:- "11,283,979".
The amendment was adopted.

Mr. Welch, Ms. Candaras and Mr. Humason moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting after the word "organizations" the following words:- "; provided that not less than $150,000 shall be expended for the New England Farm Workers' Council"; and by striking out the figures "$750,000" and inserting in place thereof the following figures:- "$900,000".
The amendment was adopted.

Messrs. Tarr and Montigny moved that the proposed new text be amended in section 2, in item 7007-0300, by inserting at the end thereof the following:- "provided, that there shall be a grant program for community development corporations

located in designated port areas and for the planning of projects to assist commercial fishing such as the pretreatment of wastewater resulting from seafood processing".
The amendment was adopted.

Messrs. Ross, Tarr, Hedlund and Humason moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "; and provided further, that not less than $50,000 shall be expended for the operations of the World War II memorial pool in the city known as the town of North Attleboro"; and by striking out the figure "$10,933,979" and inserting in place thereof the following figure:- "$12,393,979".
The amendment was adopted.

Messrs. Barrett, Donnelly, Eldridge, DiDomenico and Welch, Ms. Donoghue, Ms. Creem, Ms. Candaras and Messrs. Michael O. Moore and Humason moved that the proposed new text be amended in section 2, by inserting after item 7004-9316, the following item:
"7004-9322 For the Secure Jobs pilot program for job training, job search services, and 12 months of housing stabilization services, if not otherwise available, to families receiving assistance under 7004-0101, 7004-0103, 7004-0108, 7004-9024, or 7004-9316; provided, that the program shall be administered by agencies that have demonstrated experience working in partnership with regional administering agencies, including, but not limited to: Community Teamwork, Inc.; Father Bill's & MainSpring; HAP, Inc.; Jewish Vocational Services; and SER-Jobs for Progress; and provided further, that the department of housing and community development shall utilize rental assistance provided under 7004-9024 to ensure effective participation under this program..... $250,000".
The amendment was adopted.

Messrs. McGee, Kennedy and Brownsberger, Ms. Candaras, Mr. Donnelly, Ms. Creem, Messrs. Pacheco, Rodrigues and Michael O. Moore, Ms. Chang-Diaz, Messrs. Eldridge, Welch and DiDomenico, Ms. Forry and Messrs. Keenan, Finegold, Wolf, Lewis, Montigny and Timilty moved that the bill be amended in section 2, by striking out item 7004-0102, and inserting in place thereof the following item:-
"7004-0102 For the homelessness program to assist individuals who are homeless or in danger of becoming homeless, including assistance to organizations which provide shelter, transitional housing, and services that help individuals avoid entry into shelter or successfully exit shelter; provided, that no organization providing services to the homeless shall receive less than an average per bed, per night rate of $32; provided further, that the department may allocate funds to other agencies for this program; provided further, that no funds shall be expended for costs associated with the homeless management information system; and provided further, that programs that currently provide shelter may renegotiate how to use such program's shelter fund, with the agreement of the department and the host municipality, to provide alternative services proven to be effective, including housing first models, transitional housing, and diversion away from shelters and provided further that programs not receiving a bed rate and those programs funded through this line item in FY 2014 whose bed rates exceeds $32 receive funding increases proportional to overall line item increase…… $48,500,000".
The amendment was *rejected*.

Ms. O'Connor Ives, Mr. Barrett, Ms. Candaras, Mr. Donnelly, Ms. Donoghue, Messrs. Downing and Humason, Ms. Lovely, Mr. Michael O. Moore, Ms. Spilka and Messrs. Welch, Wolf, Montigny, Finegold and Kennedy moved that the proposed new text be amended in section 2, in item 7008-1000, by striking out the figure "$6,000,000" and inserting in place thereof the following figure:-"$7,500,000".
The amendment was adopted.

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 7002-0020, by inserting at the end thereof the following:- "provided, that $300,000 shall be expended to develop the Innovative Technology Acceleration Center in the town of Southbridge"; and by striking out the figures "$1,500,000" and inserting in place thereof the figures "$1,800,000".
The amendment was adopted.

Messrs. Tarr, Hedlund and Ross and Ms. Lovely moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Notwithstanding any general or special law to the contrary, the state auditor, in consultation with the commissioner of the department of elementary and secondary education, the secretary of administration and finance, the Massachusetts Association of School Superintendents, and the Massachusetts Association of School Committees, shall analyze the Partnership for the Assessment of Readiness for College and Career (PARCC) tests, and report any preliminary findings to the house and senate committees on ways and means and the clerks of the house and senate by no later than September 1, 2014 and submit a report with recommendations on or before June 30, 2015 that includes, but is not limited to, the following: (a) the informational technology upgrade costs required to give school districts the ability to use PARCC tests; (b) the cost of professional development for educators in the commonwealth to administer the PARCC tests; (c) the aggregate and per-student cost of administering the current tests for the Massachusetts Comprehensive Assessment System; (d) the aggregate and per-student cost of administering the tests for the PARCC; (e) the expected

ongoing cost of supporting enhanced technology infrastructure required for online assessments; (f) the impact the online assessments will have on school districts that are not currently equipped to administer such assessments; (g) whether the increased costs of administering online assessments constitutes an unfunded mandate on school districts; and (h) a comprehensive cost-benefit analysis of the adoption and implementation of the PARCC online assessments."
After further debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes past nine o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 11 — nays 28)* [Yeas and Nays No. 342]:

YEAS.

Hedlund, Robert L.	**Pacheco, Marc R.**
Humason, Donald F., Jr.	**Ross, Richard J.**
Jehlen, Patricia D.	**Tarr, Bruce E.**
Lovely, Joan B.	**Timilty, James E.**
Moore, Richard T.	**Wolf, Daniel A. − 11.**
O'Connor Ives, Kathleen	

NAYS.

Barrett, Michael J.	**Forry, Linda Dorcena**
Brewer, Stephen M.	**Joyce, Brian A.**
Brownsberger, William N.	**Keenan, John F.**
Candaras, Gale D.	**Kennedy, Thomas P.**
Chandler, Harriette L.	**Lewis, Jason M.**
Chang-Diaz, Sonia	**McGee, Thomas M.**
Creem, Cynthia Stone	**Montigny, Mark C.**
DiDomenico, Sal N.	**Moore, Michael O.**
Donnelly, Kenneth J.	**Petruccelli, Anthony**
Donoghue, Eileen M.	**Rodrigues, Michael J.**

Downing, Benjamin B.	**Rosenberg, Stanley C.**
Eldridge, James B.	**Rush, Michael F.**
Finegold, Barry R.	**Spilka, Karen E.**
Flanagan, Jennifer L.	**Welch, James T. − 28.**

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

Mr. Eldridge, Ms. Candaras, Ms. Creem and Messrs. DiDomenico, Joyce and Finegold move that the proposed new text be amended in section 2, in item 7004-0099, by adding the following words:- "; and provided further, that not less than $100,000 shall be expended for the implementation and evaluation of establishing a homeless family preference in private multi-family housing"; and by striking out the figure "$6,460,145" and inserting in place thereof the following figure:- "$6,560,145".
The amendment was adopted.

Mr. Finegold, Ms. Donoghue, Messrs. Eldridge, DiDomenico and Michael O. Moore and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7061-0928, by inserting after item 7061-0333 the following item: "7061-0928 For a competitive grant program to promote financial literacy; provided, that the program shall equip students with the knowledge and skills needed to enable students to make critical decisions regarding personal finances; provided further, that the department of elementary and secondary education shall develop a 3 year pilot program for 10 public high schools on financial literacy education for implementation for the school year beginning in 2014; provided further, that the pilot program shall be a competitive grant process for high schools in gateway municipalities, as defined in section 3A of chapter 23A of the General Laws; and provided further, that the department's advisory committee shall prepare and submit a report describing and analyzing the implementation of the program to the chairs of the senate and house committees on ways and means and the office of the state treasurer not later than December 31, 2014……..……$250,000".
After remarks, the amendment was adopted.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7002-0021, by adding the following words:- "; provided, that not less than $25,000 shall be expended for the abatement of asbestos and demolition of an abandoned house located on municipal property in the town of Millbury"; and by striking out the figure "$5,000,000" and inserting in place thereof the following figure:- "$5,025,000".
The amendment was adopted.

Ms. Donoghue, Ms. Candaras, Messrs. Downing, Michael O. Moore, Richard T. Moore, Finegold, Lewis, Joyce and Welch, Ms. Forry, Messrs. Eldridge and McGee, Ms. Lovely and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7070-0065, by striking out the figure "$91,607,756" and inserting in place thereof the following figure:- "$93,607,756".
After remarks, the amendment was adopted.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7035-0002, by inserting after the words "elementary and secondary education" the following:- "and provided further, that not less than $250,000 be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers": and by striking out the figures "$29,156,340" and inserting in place thereof the following figures:- " $29,406,340".
The amendment was adopted.

Messrs. Richard T. Moore and Michael O. Moore moved that the proposed new text be amended in section 2, in item 7512-0100, by adding at the end thereof the following:- "; provided that $300,000 shall be expended for the establishment of a satellite campus in the Blackstone Valley"; and by striking out the figures "$18,064,014" and inserting in place thereof the figures "$18,364,014".
The amendment was adopted.

Mr. Rosenberg moved that the proposed new text be amended in section 2, in item 8910-0108, by striking out "$13,253,425" and inserting in place thereof the following figure:- "$14,631,530".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2E, in item 1595-6368, by adding the following words:- "provided further, that not less than $100,000 shall be a expended for a program to assist the training, placement and development of a professional, proficient and technically competent workforce that will support the existing and emerging staffing and labor needs of the public transportation sector; provided further, that such program shall be established and operated by the MetroWest Regional Transit Authority; provided further, that said authority shall work with agencies and organizations and public higher education institutions that have developed expertise and documented successful outcomes in job training and placement, including curriculum, coursework and practical application skills development; and provided further, that said program shall provide special outreach to veterans and to diverse populations in the MetroWest region that have mobility and transportation challenges, including, but not limited to, people with certain disabilities, the economically disadvantaged and cultural and linguistic minorities"; and by striking out the figure "$389,801,636" and inserting in place thereof the following figure:- "389,901,636".
The amendment was adopted.

Mr. McGee moved that the proposed new text be amended by inserting after section___, the following new section:- "SECTION XXX. Chapter 161B, Section 5 of the General Laws is hereby amended by striking out the third paragraph, and inserting in place thereof the following:- One representative of the rider community population shall serve on the advisory board as a voting member for a term of 1 year. The advisory board shall appoint a community rider for this purpose from a list of at least 5 persons from within the respective RTA region nominated by the Massachusetts AFL-CIO and its regional councils; provided further, the Massachusetts AFL-CIO and its regional councils shall consider submissions from municipalities within the respective RTA region. The representative for the rider community may be reappointed, determined by the board; provided however, that the representative of the disabled commuter population and the representative of the rider community shall not be appointed by the same city or town in the region, unless approved by the board. Any community rider board member currently appointed, shall serve out the remainder of their term; provided that upon the conclusion of that current term, this section shall take effect. This section shall take effect immediately for the remaining boards that do not currently have a community rider board member appointed and serving."
The amendment was adopted.

Messrs. Keenan, Brownsberger and Kennedy and Ms. Lovely moved that the proposed new text be amended in section 2, in item 5911-2000, by striking out figure "$15,507,400" and inserting in place thereof the following figure:- "$15,907,400".
The amendment was adopted.

Ms. Chandler moved that the proposed new text be amended by inserting after, section ___, the following new section:- "SECTION ___. The department of transitional assistance shall provide for the decent final disposition of all deceased persons who are at the time of death recipients of aid or assistance under this chapter, all deceased persons who, although without means of support at the time of death, did not apply for such aid or assistance and all unknown persons found dead. The commonwealth may recover this expense from any legally liable family members in the manner provided in this chapter, and if such family members do not pay this expense, the commonwealth shall pay an amount not exceeding $1,100 to the funeral establishment if the total expense of the funeral and final disposition does not exceed $4,400. The commonwealth shall have the right of reimbursement from whatever resources may exist in the estate of the deceased person in excess of $2,000."
The amendment was adopted.

Ms. Spilka, Messrs. Barrett and Brownsberger, Ms. Chandler, Mr. Eldridge, Ms. Forry and Mr. Michael O. Moore, Ms. Candaras, Messrs. Keenan and Lewis moved that the proposed new text be amended in section 2, in item 4000-0051, by inserting after the words "assess quality" the following: "provided further that said network of child and family service programs shall coordinate with the executive office of health and human services, the department of early education and care, and municipal police departments to provide emergency assistance to runaway children at times when the juvenile court is not open, consistent with the requirements of paragraph (ii) of section 39H of chapter 119 of the General Laws;"; and by striking out the figure "$6,304,105" and inserting in place thereof the figure "$8,304,105".
The amendment was adopted.

Mr. Keenan, Ms. Jehlen, Messrs. Rush and Hedlund, Ms. Chang-Diaz, Messrs. Wolf, Lewis, Donnelly, Eldridge and Brownsberger, Ms. Forry, Ms. Spilka and Messrs. DiDomenico, Montigny and Michael O. Moore moved that the proposed new text be amended in section 2, in item 3000-5000, by striking out the figure "8,100,000" and inserting in place the figure "9,100,000".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-one minutes past nine o'clock P.M., on motion of Mr. Keenan, as follows, to wit *(yeas 40 — nays 0)* [Yeas and Nays No. 343]:

YEAS.

Barrett, Michael J.

Brewer, Stephen M.

Brownsberger, William N.

Candaras, Gale D.

Chandler, Harriette L.

Chang-Diaz, Sonia

Creem, Cynthia Stone

DiDomenico, Sal N.

Donnelly, Kenneth J.

Donoghue, Eileen M.

Downing, Benjamin B.

Eldridge, James B.

Finegold, Barry R.

Flanagan, Jennifer L.

Forry, Linda Dorcena

Hedlund, Robert L.

Humason, Donald F., Jr.

Jehlen, Patricia D.

Joyce, Brian A.

Keenan, John F.

Kennedy, Thomas P.

Lewis, Jason M.

Lovely, Joan B.

McGee, Thomas M.

Montigny, Mark C.

Moore, Michael O.

Moore, Richard T.

Murray, Therese

O'Connor Ives, Kathleen

Pacheco, Marc R.

Petruccelli, Anthony

Rodrigues, Michael J.

Rosenberg, Stanley C.

Ross, Richard J.

Rush, Michael F.

Spilka, Karen E.

Tarr, Bruce E.

Timilty, James E.

Welch, James T.

Wolf, Daniel A. − 40.

NAYS − 0.

The yeas and nays having been completed at twenty-four minutes past nine o'clock P.M., the amendment was adopted.

Ms. Forry moved that the proposed new text be amended in section 2, in item 4512-0200, by adding the following words:- "; and provided further, that not less than $250,000 shall be allocated to the Gavin Foundation"; and by striking out the figure "$88,827,334" and inserting in place thereof the following figure: "$89,077,334".
The amendment was adopted.

Mr. Lewis, Ms. Jehlen, Ms. Chandler, Ms. Lovely, Messrs. Eldridge, Downing and Michael O. Moore, Ms. Spilka, Messrs. Rodrigues, Wolf and DiDomenico, Ms. Forry and Messrs. Montigny, Humason, McGee, Barrett and Tarr moved that the proposed new text be amended in section 2, in item 4513-1111, by adding the following words:- "and provided further, notwithstanding any general or special law to the contrary, $250,000 shall be appropriated for Mass in Motion programming, contingent upon receipt of matching prevention federal block grant funds"; and by striking out the figure "$3,342,958" and inserting in place thereof the following figure:- "$3,592,958".
The amendment was adopted.

Mr. Downing moved that the proposed new text be amended by inserting at the end thereof the following section:-
"SECTION X. Section 2GGGG of chapter 29 of the general laws is hereby amended in subsection d, by inserting at the end thereof the following:-
The commission may award a grant to a non-profit teaching hospital whose relative prices are at or below the state median price if said non-profit teaching hospital is the sole acute hospital in a 20-mile radius."
The amendment was adopted.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 5095-0015, by adding the following words:- "; provided further, that the department shall take no action in fiscal year 2015 to reduce the number of state-operated continuing care inpatient beds or other state-operated programs on the Taunton State Hospital campus or relocate any administrative hospital services associated with the operation of the hospital off campus; provided further, that the department shall not enter into any new lease agreements or interagency agreements for new vendor-operated programs until the department, in conjunction with the division of capital asset management and maintenance, has developed a master plan with appropriate community input detailing future uses for the Taunton State Hospital campus; and provided further, that this master plan shall be submitted no sooner than March 2, 2015 to the executive office for administration and finance, the executive office of health and human services, the joint committee on mental health and substance abuse and the house and senate committees on ways and means".
The amendment was adopted.

Messrs. DiDomenico, Finegold and Donnelly, Ms. Jehlen and Messrs. McGee and Montigny moved that the proposed new text be amended in section 2, in item 4000-0640, by inserting at the end thereof the following: "provided further, that not less than $2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments; and provided further that the MassHealth agency shall adopt all additional regulations and procedures necessary to carry out this section"; and by striking out the figure "298,600,000" and inserting in place thereof "301,400,000".
After remarks, the amendment was adopted.

Mr. Montigny moved that the proposed new text be amended in section 2, in item 4000-0600, by inserting after the words "in state fiscal year 2014": "provided further, that in fiscal year 2015, MassHealth shall expend not less than $10,000,000 to reimburse nursing home facilities for bed hold days; provided further, that to the extent feasible, MassHealth shall reimburse said facilities for up to 20 medical leave of absence days and not less than 10 medical leave of absence days; provided further, that MassHealth shall guarantee 10 non-medical leave of absence days; provided further, that not later than January 1, 2015, MassHealth shall report to the house and senate committees on ways and means on: (i) the number of nursing facility clients on a leave of absence, delineated by nursing facility, by medical leave of absence and non-medical leave of absence, and total number of days on leave of absence; (ii) monthly capacity levels per nursing homes and the monthly total number of empty beds per nursing facility; (iii) the average payment amount per nursing facility client; and (iv) the aggregate payment amount per nursing facility by month".
The amendment was adopted.

Mr. McGee moved that the proposed new text be amended by inserting after section ____, the following section:-
"SECTION 125A. (a) Notwithstanding paragraph (4) of section 51G of chapter 111 of the General Laws, Union Hospital

in the city of Lynn shall provide 120 days notice to the department of public health, the mayor of the city of Lynn and the city council of the city of Lynn prior to discontinuing any essential health services, as defined by the department of public health.
(b) Notwithstanding any special or general law to the contrary, Union Hospital in the city of Lynn shall maintain the emergency services, for which notice was provided under subsection (a), until it complies with subsection (a) and any plan submitted to the department of public health, pursuant to paragraph (4) of section 51G of chapter 111 of the General Laws, is approved by the department of public health."
The amendment was adopted.

Messrs. Joyce, Rosenberg, Lewis, Rodrigues, Donnelly and Wolf, Ms. Lovely, Mr. Eldridge, Ms. Forry and Mr. Keenan moved that the proposed new text be amended by inserting after section 81, the following section:-
"SECTION 81A. Subsection (b) of section 24 of chapter 176O is hereby amended by adding the following sentence:- The decision on the appeal shall prominently provide information on the right to appeal the decision to the office of patient protection including, but not limited to: (i) contact information for the office of patient protection, (ii) a notice of a patient's right to file a grievance with the office of patient protection and (iii) information on how to file a grievance with the office of patient protection."; and
By inserting after section 122, the following 3 sections:-
"SECTION 122A. Notwithstanding any general or special law to the contrary, the office of patient protection shall report overturned or partially overturned behavioral health care denials to the division of insurance. The division of insurance shall review each reported denial to determine whether the denial constitutes a violation of the federal Mental Health Parity and Addiction Equity Act, section 511 of Public Law 110-343, and applicable state mental health parity laws, including but not limited to: section 22 of chapter 32A of the General Laws, section 47B of chapter 175 of the General Laws, section 8A of chapter 176A of the General Laws, section 4A of chapter 176B of the General Laws and sections 4, 4B and 4M of chapter 176G of the General Laws.
If the division finds evidence that a violation has occurred, including, but not limited to, a determination by the office of patient protection to overturn a healthcare denial, in full or in part, the division shall investigate pursuant to its powers under section 8K of chapter 26 of the General Laws.
If the division finds that a violation of the mental health and substance abuse parity laws has occurred, then the division shall levy a fine of not less than $25,000 per violation; provided, however, that if an insurer demonstrates a clear pattern or practice of violating the mental health and substance abuse parity laws, then the division shall levy an additional fine of not less than $100,000 per occurrence.
The office of patient protection and the division of insurance shall promulgate regulations to ensure the protection of patients' information, which shall comply with 42 U.S.C. § 290dd-2, 42 C.F.R. Part 2 and 45 C.F.R. § 164.512.
SECTION 122B. The office of patient protection shall post statistics regarding behavioral health reviews on their public website, which shall be broken down by insurer and plan.
SECTION 122C. The division of insurance shall post notices of adverse determinations involving behavioral health coverage against insurers on the division's public website."
The amendment was adopted.

Messrs. Richard T. Moore, Rush, Wolf, Lewis and Pacheco, Ms. Forry, Messrs. DiDomenico, Kennedy and Michael O. Moore and Ms. Lovely move to amend the proposed new text by inserting the text of Senate document numbered 2204, relative to quality improvement and cost reduction.
The amendment was adopted.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 7004-0099, by adding the following words:- "provided that not less than $15,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham"; by striking out the figure "$6,460,145" and inserting in place thereof the following figure:- "$6,475,145".
The amendment was adopted.

Messrs. Downing, Donnelly, Michael O. Moore and Wolf, Ms. Spilka, Ms. Creem, Messrs. DiDomenico and Barrett, Ms. Forry and Mr. Montigny moved that the proposed new text be amended in section 2, in item 7066-0040, by striking the figure "$250,000" and inserting in place thereof the following figure:- "$400,000".
The amendment was adopted.

Ms. Jehlen, Ms. Lovely, Messrs. Lewis, Donnelly, Michael O. Moore and Brownsberger, Ms. Donoghue and Messrs. Montigny and Joyce moved that the proposed new text be amended in section 2, by inserting 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".
After remarks, the amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting after the words "these expenditures" the following words:- "; provided further, that MassHealth shall reimburse managed care organizations and senior care organizations that are under contract with the commonwealth for the Medicaid portion of the costs associated with the Affordable Care Act's insurer fee; provided further, that MassHealth shall apply an add-on to the managed care organizations' and senior care organizations' capitation rates to cover the Affordable Care Act's insurer fee and said add-on shall be exclusive of any additional rate increase currently being proposed for the fiscal year 2015; provided further, that MassHealth shall provide a report of the amount of reimbursement of the Affordable Care Act's insurer fee and the related tax liability and the methodology for calculating said reimbursement to the managed care organizations and senior care organizations and the house and senate committees on ways and means and the joint committee on health care financing".
After remarks, the amendment was adopted.

Messrs. Timilty, Downing and Montigny moved that the proposed new text be amended in section 2, in item 8100-1001, by inserting the following:- "provided further, that there shall be a study submitted to the house and senate committees on ways and means not later than October 31, 2014 on the costs associated with equipping all state police vehicles with automated external defibrillators".
After remarks, the amendment was adopted.

Ms. Chang-Diaz, Mr. DiDomenico, Ms. Candaras, Ms. Donoghue, Messrs. Brownsberger and Donnelly, Ms. Forry, Messrs. Michael O. Moore, Rodrigues, Welch, Wolf, Montigny and Finegold, Ms. Creem and Mr. Kennedy moved that the proposed new text be amended in section 2, in item 4000-0005, by striking the figure "4,000,000" and inserting in place thereof the following figure:- "5,000,000".
The amendment was adopted.

Mr. Michael O. Moore, Ms. Donoghue, Messrs. Pacheco and Downing, Ms. Lovely and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7109-0100, by striking out the figure "$40,591,669" and inserting in place thereof the following figure:- "$43,473,711";
In said section 2, in item 7110-0100, by striking out the figure "$27,430,823" and inserting in place thereof the following figure:- "$28,956,573";
In said section 2, in item 7112-0100 by striking out the figure "$25,164,332" and inserting in place thereof the following figure:- "$26,858,468";
In said section 2, in item 7113-0100, by striking out the figure "$14,779,296" and inserting in place thereof the following figure:- "$15,683,779";
In said section 2, in item 7114-0100, by striking out the figure "$41,482,180" and inserting in place thereof the following figure:- "$43,786,737";
In said section 2, in item 7115-0100, by striking out the figure "$24,829,786" and inserting in place thereof the following figure:- "$26,820,340";
In said section 2, in item 7116-0100, by striking out the figure "$24,128,143" and inserting in place thereof the following figure:- "$25,910,664";
In said section 2, in item 7117-0100, by striking out the figure "$16,353,460" and inserting in place thereof the following figure:- "$17,361,365"; and
In said section 2, in item 7118-0100, by striking out the figure "$14,734,703" and inserting in place thereof the following figure:- "$15,642,755".
The amendment was *rejected*.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting at the end thereof the following new text:- ";provided further that a state operated residential treatment program shall be developed on the campus of Taunton State Hospital for individuals who have been diagnosed as having co-occurring mental health and substance abuse disorders".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at two minutes before ten o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 6 — nays 33)* [Yeas and Nays No. 344]:

YEAS.

Donnelly, Kenneth J.	**Rodrigues, Michael J.**
Montigny, Mark C.	**Timilty, James E.**
Pacheco, Marc R.	**Wolf, Daniel A. − 6.**

NAYS.

Barrett, Michael J.	**Joyce, Brian A.**
Brewer, Stephen M.	**Keenan, John F.**
Brownsberger, William N.	**Kennedy, Thomas P.**
Candaras, Gale D.	**Lewis, Jason M.**
Chandler, Harriette L.	**Lovely, Joan B.**
Chang-Diaz, Sonia	**McGee, Thomas M.**
Creem, Cynthia Stone	**Moore, Michael O.**
DiDomenico, Sal N.	**Moore, Richard T.**
Donoghue, Eileen M.	**O'Connor Ives, Kathleen**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rosenberg, Stanley C.**
Finegold, Barry R.	**Ross, Richard J.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Hedlund, Robert L.	**Tarr, Bruce E.**
Humason, Donald F., Jr.	**Welch, James T. − 33.**
Jehlen, Patricia D.	

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

Messrs. McGee and Tarr moved that the proposed new text be amended inserting after section ____, the following new section:-
"SECTION 104A. There shall be a task force to investigate the causes of and the effects of the discontinuation of essential health services by hospitals and existing administrative procedures for the discontinuations under chapter 111 of the General Laws. The task force shall be composed of: the secretary of health and human services or a designee, who shall serve as chair, the commissioner of public health or a designee, the the executive director of the center for health information and analysis or a designee, the attorney general or a designee, the secretary of labor and workforce

development or a designee and the executive director of the health policy commission or a designee.
The task force shall: (i) review recent discontinuations of essential health services by hospitals; (ii) review recent hospital closures; (iii) review methods implemented in other states to discourage and to manage the discontinuation of essential health services by hospitals and hospital closures; and (iv) review methods implemented in other states to ensure continued access to essential health services by communities affected by a discontinuation of an essential health service or a hospital closure.
The task force shall provide recommendations on ways to: (i) improve the notification processes when a hospital intends to discontinue an essential health service or cease operations; (ii) ensure that communities in the affected service area have access to alternative providers for discontinued essential health services; (iii) ensure uniform reporting of hospital costs and financial conditions across state agencies to better identify hospitals in distress that are on the verge of closing or discontinuing an essential health service; and (iv) impose penalties through the department of public health to hospitals who discontinue an essential health service prior to receiving approval by the department.
The task force shall file a report of its findings and recommendations for legislation, if any, with the clerks of the senate and house of representatives, who shall forward them to the house and senate chairs of the joint committee on health care financing, the house and senate chairs of the joint committee on public health and the house and senate committees on ways and means, not later than January 31, 2015."
After remarks, the amendment was adopted.

Mr. Michael O. Moore, Ms. Donoghue, Ms. Candaras, Ms. Lovely, Ms. Chandler, Ms. Chang-Diaz and Messrs. Downing and Pacheco moved that the proposed new text be amended, in section 2, by striking out item 1599-4440, and inserting in place thereof the following item:-
"1599-4440 For supplemental support to state universities under section 92A of this act"; and
By inserting after section 92, the following new section:-
"Section 92A. (a) (i) Notwithstanding any special law to the contrary, if, upon Bridgewater State University receiving the full allotment of their base appropriation in line item 7109-0100, in an amount not less than $43,473,711 for fiscal year 2015, and funding of collective bargaining agreements, Bridgewater State University, shall not increase mandatory curriculum fees for students at Bridgewater State University for the 2014-2015 academic year.
(ii) Notwithstanding any special law to the contrary, if, upon Fitchburg State University receiving the full allotment of their base appropriation in line item 7110-0100, in an amount not less than $28,956,573 for fiscal year 2015, and funding of collective bargaining agreements, Fitchburg State University, shall not increase mandatory curriculum fees for students at Fitchburg State University for the 2014-2015 academic year.
(iii) Notwithstanding any special law to the contrary, if, upon Framingham State University receiving the full allotment of their base appropriation in line item 7112-0100, in an amount not less than $26,858,468 for fiscal year 2015, and funding of collective bargaining agreements, Framingham State University, shall not increase mandatory curriculum fees for students at Framingham State University for the 2014-2015 academic year.
(iv) Notwithstanding any special law to the contrary, if, upon the Massachusetts College of Liberal Arts receiving the full allotment of their base appropriation in line item 7113-0100, in an amount not less than $15,683,779 for fiscal year 2015, and funding of collective bargaining agreements, the Massachusetts College of Liberal Arts, shall not increase mandatory curriculum fees for students at the Massachusetts College of Liberal Arts for the 2014-2015 academic year.
(v) Notwithstanding any special law to the contrary, if, upon Salem State University receiving the full allotment of their base appropriation in line item 7114-0100, in an amount not less than $43,786,737 for fiscal year 2015, and funding of collective bargaining agreements, Salem State University, shall not increase mandatory curriculum fees for students at Salem State University for the 2014-2015 academic year.
(vi) Notwithstanding any special law to the contrary, if, upon Westfield State University receiving the full allotment of their base appropriation in line item 7115-0100, in an amount not less than $26,820,340 for fiscal year 2015, and funding of collective bargaining agreements, Westfield State University, shall not increase mandatory curriculum fees for students at Westfield State University for the 2014-2015 academic year.
(vii) Notwithstanding any special law to the contrary, if, upon Worcester State University receiving the full allotment of their base appropriation in line item 7116-0100, in an amount not less than $25,910,664 for fiscal year 2015, and funding of collective bargaining agreements, Worcester State University, shall not increase mandatory curriculum fees for students at Worcester State University for the 2014-2015 academic year.
(viii) Notwithstanding any special law to the contrary, if, upon the Massachusetts College of Art receiving the full allotment of their base appropriation in line item 7117-0100, in an amount not less than $17,361,365 for fiscal year 2015, and funding of collective bargaining agreements, the Massachusetts College of Art, shall not increase mandatory curriculum fees for students at the Massachusetts College of Art for the 2014-2015 academic year.
(ix) Notwithstanding any special law to the contrary, if, upon the Massachusetts Maritime Academy receiving the full allotment of their base appropriation in line item 7118-0100, in an amount not less than $15,642,755 for fiscal year 2015, and funding of collective bargaining agreements, the Massachusetts Maritime Academy shall not increase mandatory curriculum fees for students at the Massachusetts Maritime Academy for the 2014-2015 academic year.
(b) Notwithstanding any general or special law to the contrary, upon receipt of fund identified in subsection (a) state universities shall refund or credit any additional mandatory curriculum fee charged to students for the 2014-2015 academic year.

(c) The state universities shall work in conjunction with the house and senate committees on ways and means to develop an outcomes-based funding formula to be implemented in fiscal year 2016;
(d) The state universities shall annually report to the house and senate committees on ways and means, the joint committee on higher education, the secretary of administration and finance and the secretary of education: (i) the status of the percentage of student education costs placed upon the student and subsidized by the commonwealth with the goal of providing education costs to students at an equal 50/50 share between the commonwealth and the students; and (ii) a comprehensive document articulating the efficiencies and effectiveness of initiatives and programs at the state universities that save the commonwealth and students money and make the 9 campus system operate more efficiently."
The amendment was adopted.

Recess.

There being no objection, at four minutes past ten o'clock P.M, the President declared a recess subject to the call of the Chair; and, at sixteen minutes past eleven 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 2015 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.

Suspension of Senate Rule 38A½ .

Mr. Ross moved that Senate Rule 38A½ be suspended to allow the Senate to meet beyond the hour of midnight; 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.

Messrs. Tarr and Ross moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Chapter 2 of the general laws, as appearing in the 2012 official edition, is hereby amended by inserting at the end thereof the following section:-
SECTION __. Stephen M. Brewer from the town of Barre shall be the official reenactor laureate of the commonwealth."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty minutes before twelve o'clock midnight, on motion of Mr. Tarr, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 341]:

YEAS.

Barrett, Michael J.	**Lewis, Jason M.**
Brownsberger, William N.	**Lovely, Joan B.**
Candaras, Gale D.	**McGee, Thomas M.**
Chandler, Harriette L.	**Montigny, Mark C.**
Chang-Diaz, Sonia	**Moore, Michael O.**
Creem, Cynthia Stone	**Moore, Richard T.**
DiDomenico, Sal N.	**Murray, Therese**

Donnelly, Kenneth J.	**O'Connor Ives, Kathleen**
Donoghue, Eileen M.	**Pacheco, Marc R.**
Downing, Benjamin B.	**Petruccelli, Anthony**
Eldridge, James B.	**Rodrigues, Michael J.**
Finegold, Barry R.	**Rosenberg, Stanley C.**
Flanagan, Jennifer L.	**Ross, Richard J.**
Forry, Linda Dorcena	**Rush, Michael F.**
Hedlund, Robert L.	**Spilka, Karen E.**
Humason, Donald F., Jr.	**Tarr, Bruce E.**
Jehlen, Patricia D.	**Timilty, James E.**
Joyce, Brian A.	**Welch, James T.**
Keenan, John F.	**Wolf, Daniel A. - 39.**
Kennedy, Thomas P.	

NAYS − 0.

ANSWERED “PRESENT”.

Brewer, Stephen M.
***(present)* − 1.**

The yeas and nays having been completed at eighteen minutes before twelve o'clock midnight, the amendment was adopted.

Mr. Brewer moved that the proposed new text be amended in section 2, in item 1410-1616, by striking out the figure “$370,000” and inserting in place thereof the following figure:- “$620,000”;
In item 1599-0026, by adding the following words:- “; and provided further, that not less than $170,000 shall be expended to the town of Plymouth for revising and updating its Radiological Response and Recovery Plan”;
In said section 2, in said item 1599-0026, by striking out the figure “$6,400,000” and inserting in place thereof the following figure:- “$8,910,000”;
In said section 2, in item 2200-0100, by striking out the figure “$28,498,667” and inserting in place thereof the following figure:- “$28,863,667”;
In said section 2, in item 2200-0112, by inserting after the words "act for fiscal year 2014" the following words:- ",

excluding appropriations for earmarks and nonrecurring operating costs";
In said section 2, in item 2330-0100, by striking out the figure "$5,214,213" and inserting in place thereof the following figure:- "$5,497,213";
In said section 2, in item 2800-0501, by striking out the figure "$14,080,812" and inserting in place thereof the following figure:- "$15,180,812";
In said section 2, in item 2810-0100, by striking out the figure "$41,625,332" and inserting in place thereof the following figure:- "$43,177,832";
In said section 2, in item 4000-0600 by striking out the figure "$3,142,789,454" and inserting in place thereof the following figure:- "$3,158,615,115";
In said section 2, in item 4000-0700 by striking out the figure "$2,347,212,322" and inserting in place thereof the following figure:- "$2,381,520,091";
In said section 2, in item 4000-0880, by adding the following words:- "; and provided further, that funds may be expended from this item for health care subsidies provided to eligible individuals under the last paragraph of section 9 of chapter 118E of the General Laws and subsection (7) of section 16D of said chapter 118E";
In said section 2, in item 4401-1000, by striking out the words "$130,811 shall be expended for programs operated through the office of refugees and immigrants" and inserting in place thereof the following words:- "$530,811 shall be expended for contracts entered into with the office for refugees and immigrants with whom the department of transitional assistance entered into service agreements in fiscal year 2014;";
In said section 2, in said item 4401-1000, by striking out the figure "$4,403,855" and inserting in place thereof the following figure:- "$4,803,855";
In said section 2, in item 4512-0200, by striking out the figure "$88,827,334" and inserting in place thereof the following figure:- "$89,342,334";
In said section 2, in item 4513-1111, by striking out, the figure "$3,342,958" and inserting in place thereof the following figure:- "$3,842,958";
In said section 2, in item 4590-1507, by striking out, the figure "$3,050,000" and inserting in place thereof the following figure:- "$3,300,000";
In said section 2, in item 5046-0000, by striking out, the figure "$357,569,145" and inserting in place thereof the following figure:- "$357,969,145";
In said section 2, in item 7002-0010, by adding the following words:- "; provided, that not less than $80,000 shall be expended for the Last Mile Broadband planning grant in the town of Falmouth";
In said section 2, in said item 7002-0010, by striking out the figure "$1,191,479" and inserting in place thereof the following figure:- "$1,271,479";
In said section 2, in item 7002-0020, by striking out the figure "$1,500,000" and inserting in place thereof the following figure:- "$1,890,000";
In said section 2, in item 7002-0021, by adding the following words:- "; provided, that not less than $2,014,407 shall be expended for the restoration costs of the Mayflower II to take place through 2020 including a 30 per cent cost contingency on future work to cover unforeseen costs; provided further, that $2,750,000 shall be provided for the maintenance and upgrades to the T-Wharf in the town of Plymouth including, but not limited to, razing the existing T-Wharf structure and constructing a replacement wharf structure in the town of Plymouth";
In said section 2, in said item 7002-0021, by striking out the figure $5,000,000 and inserting in place thereof the following figure:- "$8,989,407";
In said section 2, in item 7003-1206, by striking out, in line 3, the figure $750,000 and inserting in place thereof the following figure:- "$1,310,000";
In said section 2, in item 7004-0099, by adding the following words:- "; and provided further, that the Easton Housing Authority shall receive not less than $50,000 which shall be expended for siding, trim and window replacements to 2 apartment buildings in a 667-1 state public housing development in the town of Easton";
In said section 2, in said item 7004-0099 by striking out the figure "$6,460,145" and inserting in place thereof the following figure:- "$6,525,145";
In said section 2, in item 7004-0102, by striking out, in line 12, the figure "$40,551,657" and inserting in place thereof the following figure:- "$41,451,657";
In said section 2, in item 7004-3036, by striking out the figure "$2,391,992" and inserting in place thereof the following figure:- "$2,791,992";
In said section 2, in item 7008-0900, by adding the following words:- "; provided further, that not less than $18,510 shall be expended to support the Monson Bellman in the town of Monson; provided further, that not less than $85,000 shall be expended on playground improvements in the town of Templeton; provided further, that not less than $1,000,000 shall be expended for road and infrastructure improvement for Heritage Museums and Gardens in the town of Sandwich; and provided further, that not less than $500,000 shall be expended for the Sandwich Sports Complex committee for a multi-purpose synthetic turf at DeConto Stadium in the town of Sandwich";
In said section 2, in said item 7008-0900, by striking out the figure "$10,933,979" and inserting in place thereof the following figure "$14,047,489";
In said section 2, in item 7061-0011, by striking out the words "chapter 70 aid for fiscal year 2015" and inserting in place thereof the following words:- "chapter 70 aid for fiscal year 2016";

In said section 2, in said item 7061-0011, as amended by amendment 533, by striking out the words “200 pupils” and inserting in place thereof the following words:- “400 pupils”;
In said section 2, in item 8324-0000, by striking out the figure “$19,236,873” and inserting in place thereof the following figure:- “$21,336,873”;
In said section 2, in item 8900-0001, by striking out the figure “$560,181,787” and inserting in place thereof the following figure:- “$562,449,787”;
In section 2E, in item 1595-6368, by striking out the figure “$389,801,636” and inserting in place thereof the following figure:- “$390,361,636”;
By striking out section 36;
By inserting after section 56 the following section:-
“SECTION 56A. Chapter 92 of the General Laws is hereby amended by inserting after section 34C the following section:- Section 34D. Notwithstanding any general or special law or administrative bulletin to the contrary and pursuant to section 34, there shall be established and set up on the books of the commonwealth a separate fund to be known as the Borderland State Park Trust Fund, which shall be used for the purposes of advancing recreational, educational and conservation interests including, but not limited to, the construction and maintenance of facilities and infrastructure improvements for the area within the reservation. The trust shall receive, hold and expend, with the advice of the Borderland advisory council, all fees generated by parking, permits, licenses and all other agreements not currently being directed to the General Fund relating to the use of the park land as authorized by the commission. The department shall not make expenditures from this fund so as to cause the fund to be deficient.";
In section 84, by striking out, in line 1115, the words “center for health information and analysis” and inserting in place thereof the following words:- “office of Medicaid”;
By inserting after section 85 the following 2 sections:-
“SECTION 85A. The third paragraph of section 104 of chapter 182 of the acts of 2008 is hereby by striking out, in line 12, the words ‘General Fund’ and inserting in place thereof the following words:- ‘Blue Hills Reservation Trust Fund established in section 34C of chapter 92 of the General Laws’.”
SECTION 85B. The third paragraph of subsection (a) of section 105 of said chapter 182 is hereby by striking out, in line 12, the words ‘General Fund’ and inserting in place thereof the following words:- ‘Blue Hills Reservation Trust Fund established in section 34C of chapter 92 of the General Laws’.”;
In section 120, by striking out, in lines 1644 and 1645, the words “department of elementary and secondary education” and inserting in place thereof the following words:- “operational services division”;
By inserting after section 122 the following section:-
“SECTION 122A. Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority shall ensure the operation of weekend service on the Kingston and Plymouth line on Saturdays and Sundays. The service shall be maintained to and from Kingston and South Station.”;
In section 123A, inserted by amendment 194, by striking out the words "September 31" and inserting in place thereof the following words:- "September 30";
In section 123A, inserted by amendment 659, by striking out the words “that was previously”; and
In section 126, by striking out, in line 1689, the words “to 114, inclusive,”.
The amendment was adopted.
The Ways and Means amendment was then adopted, as amended, and the bill was ordered to a third reading and read a read a third time.
After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at sixteen minutes before twelve o’clock midnight, on motion of Mr. Brewer, as follows, to wit *(yeas 39 — nays 1)* [Yeas and Nays No. 346]:

YEAS.

Barrett, Michael J.	**Lewis, Jason M.**
Brewer, Stephen M.	**Lovely, Joan B.**
Brownsberger, William N.	**McGee, Thomas M.**
Candaras, Gale D.	**Montigny, Mark C.**
Chandler, Harriette L.	**Moore, Michael O.**

Chang-Diaz, Sonia	**Moore, Richard T.**
Creem, Cynthia Stone	**Murray, Therese**
DiDomenico, Sal N.	**O'Connor Ives, Kathleen**
Donnelly, Kenneth J.	**Pacheco, Marc R.**
Donoghue, Eileen M.	**Petruccelli, Anthony**
Downing, Benjamin B.	**Rodrigues, Michael J.**
Eldridge, James B.	**Rosenberg, Stanley C.**
Finegold, Barry R.	**Ross, Richard J.**
Flanagan, Jennifer L.	**Rush, Michael F.**
Forry, Linda Dorcena	**Spilka, Karen E.**
Humason, Donald F., Jr.	**Tarr, Bruce E.**
Jehlen, Patricia D.	**Timilty, James E.**
Joyce, Brian A.	**Welch, James T.**
Keenan, John F.	**Wolf, Daniel A. - 39.**
Kennedy, Thomas P.	

NAYS.

Hedlund, Robert L. − 1.

The yeas and nays having been completed at thirteen minutes before twelve o’clock midnight, the bill was passed to be engrossed, in concurrence, with the amendments [For text of Senate amendments, see Senate, No. 2160, printed as amended].
Sent to the House for concurrence in the amendments.

Order Adopted.

On motion of Mr. Tarr,--

***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.**

Adjourn In Memory of Terrance P. Hart

The Senator from Essex and Middlesex, Mr. Tarr moved that when the Senate adjourns today, it do so in memory of Terrance P. Hart.

Captain Terrance P. Hart of Georgetown died on May 1, 2014 at the age of 65.

Captain Hart served in the United States Coast Guard for over 27 years. During his time in the United States Coast Guard, Captain Hart served as Group Commander in San Francisco; Chief Operating Officer for the First Coast Guard District in Boston; Director of the Coast Guard Auxiliary in New England; Operations Director in New Orleans, Louisiana; and National Law Enforcement Program Director in Washington, DC. He also served for three years with Vice President George H.W. Bush as a member of the staff for the National Narcotics Border Interdiction System. At sea, Captain Hart served on the USCGC Flagstaff, USCGC Cape Horn, USCGC Escanaba, and sailed on the USCG Barque Eagle. Captain Hart was awarded the Legion of Merit, the Meritorious Service Medal, six Coast Guard Commendation Medals, and the Finland Life Saving Medal.

Captain Hart committed 15 years of his life to the communities of Essex, Georgetown, Hamilton, Ipswich, Newbury, Rowley, Wenham, and West Newbury, serving as the Director of the Eastern Essex District Veterans Services. In 2013, Captain Hart was awarded the Outstanding District Award for Outstanding Service to the Veterans of the Eastern Essex District and to the Veterans of the Commonwealth of Massachusetts.

Captain Hart is survived by his daughter, Kari Richards and her husband Kevin of Peabody, his son John P. Hart of Georgetown, and his son Kevin R. Hart and his wife Kelly of Byfield; his mother Lois (Unrath) Hart of California; his brother John C. Hart and his wife Gayle of Oregon, his brother Greg Hart and his wife Kris of Idaho, his sister Carole Sanders of California, his brother James Hart and his wife Renee of California, his brother Kevin M. Hart and his wife Rosemary of California, and his brother-in-law O. Robert Haneberg and his wife Claudia of Connecticut; his grandchildren Matthew, Jacob and Jessica Richards, Connor and Liam Hart, and Jasmine Brunelle; his great-grandson Dalton Brunelle; and many loving uncles, aunts, nieces, nephews, cousins, friends and colleagues.

Accordingly, as a mark of respect in memory of Terrance P. Hart, at twenty-four minutes past twelve o'clock midnight, on motion of Mr. Tarr, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.