***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 22, 2013.*

Met at six minutes 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, the first and second grade class from the George Keverian Elementary School in Everett. The group was on a field trip to the State House learning about the different aspects of state government. They were accompanied by teachers Mrs. Foley and Mrs. Bushee. The Senate welcomed them with applause and they withdrew from the Chamber.

There being no objection, the President handed the gavel to Mr. Knapik for the purpose of an introduction. Mr. Knapik then introduced, in the rear of the Chamber, a group of AP Government and Advanced Government students from Southwick-Tolland Regional High School. The classes were on a field trip to learn about the legislative process and the history of the State House. They were accompanied by teachers Paula LeBlanc, Desiree Moriarty and Alex Trzasko. The Senate welcomed them with applause and they withdrew from the Chamber.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced, in the rear of the Chamber, the third grade class from the Ralph Talbot Elementary School in Weymouth. The school is named after Medal of Honor winner Ralph Talbot. He earned this title due to his courageous military actions during World War I. The town of Weymouth was recognized for having more Medal of Honor winners than any other municipality in the country. The Senate welcomed them with applause and they withdrew from the Chamber.

There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Donnelly for the purpose of an introduction. Mr. Donnelly then introduced, in the rear of the Chamber, a group of emergency personnel from the Office of Emergency Medical Services. The group was presented with Senate Resolutions for their bravery and dedication that they exhibit on a daily basis. Their mission is to promote a state-wide community based emergency services system that reduced premature death and disability from acute illness through the coordination of local and regional EMS resources. The group was accompanied by Director, Jamie Pianka. The Senate applauded the group for their service and they withdrew from the Chamber. They were also guests of Senator Keenan and Representative Kaufman of Lexington.

There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Rosenberg) handed the gavel to Mr. Ross for the purpose of an introduction. Mr. Ross then introduced, in the rear of the Chamber, a group of Den 2 Cub Scouts from Wayland. They were accompanied by Den Leader Alexia Obar. The Senate welcomed them with applause and they withdrew from the Chamber.

*Communication.*

A communication from the Department of Public Health (under the provisions of Section 12 of Chapter 369 of the Acts of 2012) submitting notice of a proposed regualtory amendment to 801 CMR 4.02(105) Medical Marijuana Program relative to proposed fees to be used to defray costs of the medical marijuana program,-- **was placed on file.**

*Petitions.*

Petitions were severally presented and referred, as follows:

By Mr. Keenan, a petition (accompanied by bill, Senate, No. 1781) of John F. Keenan, Bruce J. Ayers, Tackey Chan and Ronald Mariano (with the approval of the mayor and city council) for legislation relative to the civil service eligibility list for police officers in the city of Quincy [Local approval received];
**Under Senate Rule 20, to the committee on Public Service.**
**Sent to the House for concurrence.**

By Mr. Timilty, a petition (subject to Joint Rule 12) of James E. Timilty for legislation to permit bad check restitution programs;
**Under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

**PAPERS FROM THE HOUSE.**

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 3471) of Carolyn C. Dykema, Danielle W. Gregoire and James B. Eldridge (by vote of the town) for legislation to authorize the town of Westborough to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises;
Petition (accompanied by bill, House, No. 3472) of William M. Straus (by vote of the town) for legislation to authorize the town of Fairhaven to issue an additional license for the sale of wines and malt beverages to be drunk on the premises; and
Petition (accompanied by bill, House, No. 3473) of William M. Straus (by vote of the town) for legislation to authorize the town of Fairhaven to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises;
**Severally to the committee on Consumer Protection and Professional Licensure.**

Petition (accompanied by bill, House, No. 3474) of Kate Hogan and James B. Eldridge (by vote of the town) for legislation to authorize the town of Stow to amend a certain conservation restriction to allow for the construction of a water supply well;
**To the committee on Municipalities and Regional Government**

*Resolutions.*

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

Resolutions (filed by Messrs. Donnelly, Brewer and Brownsberger, Ms. Clark, Messrs. Downing, Eldridge, Hedlund and Keenan, Ms. Lovely, Messrs. McGee, Michael O. Moore, Pacheco, Rodrigues, Rosenberg and Ross, Ms. Spilka and Messrs. Tarr and Timilty) "recognizing the bravery and dedication of Emergency Medical Service personnel on the celebration of National Emergency Medical Service Week."

**PAPER FROM THE HOUSE**
*Emergency Preamble Adopted.*

An engrossed Bill establishing a sick leave bank for Richard Slayman, an employee of the Massachusetts Department of Transportation (see House, No. 3378, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- **was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 7 to 0.**
**The bill was signed by the President and sent to the House for enactment.**

*Report of a Committee.*

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 protection of off duty firefighters and emergency medical technicians (Senate, No. 829).
**There being no objection, the rules were suspended, on motion of Mr. Timilty, and the bill was read a second time, ordered to a third reading and read a third time.**
Subsequently, after remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-one minutes past ten o'clock A.M., on motion of Mr. Richard T. Moore, as follows, to wit *(yeas 37 — nays 0)* **[Yeas and Nays No. 39]**:

YEAS.
Barrett, Michael J. Lovely, Joan B.
Brewer, Stephen M. McGee, Thomas M.
Brownsberger, William N. Montigny, Mark C.
Candaras, Gale D. Moore, Michael O.
Chandler, Harriette L. Moore, Richard T.
Chang-Diaz, Sonia Murray, Therese
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. Petruccelli, Anthony
Donnelly, Kenneth J. Rodrigues, Michael J.
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Ross, Richard J.
Eldridge, James B. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E. E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A.− 37.
Knapik, Michael R.
NAYS − 0
ABSENT OR NOT VOTING
Hedlund, Robert L. Kennedy, Thomas P.− 2.

**The yeas and nays having been completed at twenty-three minutes past ten o'clock A.M., the bill was passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act further limiting the liability of persons rendering certain emergency medical care".**
**Sent to the House for concurrence.**

## PAPERS FROM THE HOUSE.

*Engrossed Bills—Land Takings for Conservation Etc.*

An engrossed Bill authorizing the city of Malden to convey a sewer easement over a portion of certain park land (see House, No. 1836, changed and amended) (which originated in the House), 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 ten minutes past ten o'clock A.M., as follows, to wit *(yeas 33 - nays 0)* **[Yeas and Nays No. 37]**:
YEAS.
Barrett, Michael J. Lovely, Joan B.
Brewer, Stephen M. McGee, Thomas M.
Brownsberger, William N. Montigny, Mark C.
Candaras, Gale D. Moore, Michael O.
Chandler, Harriette L. Moore, Richard T.
Chang-Diaz, Sonia O'Connor Ives, Kathleen
Clark, Katherine M. Pacheco, Marc R.
Creem, Cynthia Stone Petruccelli, Anthony
DiDomenico, Sal N. Rodrigues, Michael J.
Donnelly, Kenneth J. Rosenberg, Stanley C.
Donoghue, Eileen M. Ross, Richard J.
Downing, Benjamin B. Spilka, Karen E.
Eldridge, James B. Tarr, Bruce E.
Finegold, Barry R. Timilty, James E.
Flanagan, Jennifer L. Welch, James T.
Jehlen, Patricia D. Wolf, Daniel A. − 33.
Keenan, John F.
NAYS – 0.
ABSENT OR NOT VOTING.
Hedlund, Robert L. Knapik, Michael R.
Joyce, Brian A. Rush, Michael F. − 5.
Kennedy, Thomas P.

**The yeas and nays having been completed at sixteen 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.**

An engrossed Bill relative to parcels of land in the city of Revere (see House, No. 3336, changed and amended) (which originated in the House), 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 seventeen minutes past ten o'clock A.M., as follows, to wit *(yeas 35 - nays 0)* **[Yeas and Nays No. 38]**:
YEAS.
Barrett, Michael J. Knapik, Michael R.
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.
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. Petruccelli, Anthony
Donnelly, Kenneth J. Rodrigues, Michael J.
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Ross, Richard J.
Eldridge, James B. Spilka, Karen E.
Finegold, Barry R. Tarr, Bruce E.
Flanagan, Jennifer L. Timilty, James E.
Jehlen, Patricia D. Welch, James T.
Joyce, Brian A. Wolf, Daniel A. − 35.
Keenan, John F.
NAYS – 0.
ABSENT OR NOT VOTING.
Hedlund, Robert L. Rush, Michael F. − 3.
Kennedy, Thomas P.

**The yeas and nays having been completed at twenty 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.**

*Communication.*

The President read the following communication and Joint Resolutions adopted by the Maine State Legislature, to wit:

State of Maine
126th Maine Legislature

*April 23, 2013*

To the Members of the Massachusetts Legislature:

In wake of the horrific and cowardly act of terrorism at the 117th Boston Marathon, the Maine Legislature expresses strong resolve and fortitude with the Commonwealth of Massachusetts and the great city of Boston.

Maine and Massachusetts have a special historic, economic, and cultural relationship, extending back to our nation's founding, including our mutual celebration of Patriot's Day as a state holiday to celebrate our free and independent spirits.

The Boston Marathon is an icon; it is the world's oldest annual marathon, and routinely attracts half a million spectators. Fans come together from around the world to celebrate the athleticism and determination of the marathon runners—and, share in the spirit of Boston.

This year, when tragedy struck, spectators came together to help each other. We were deeply moved by the images and stories of people courageously and selflessly offering a hug or a word of condolence to each other.

A marathon is a test of endurance; the tough and resilient prosper. This horrific event has and will continue to test us as a nation and you as a community. But we know, together, we will prosper.

Boston is a proud city, and we stand with you every step of the way. We will refuse to be terrorized. We will continue to live our lives and respond to evil selflessly and compassionately with acts of heroism, kindness, generosity, and love.

On behalf of the members of the 126th Maine Legislature, we extend to you our greatest sympathy and respect.

| | |
|---|---|
| *Sincerely,* | |
| Justine L. Alford | Mark W. Eves |
| *President of the Senate* | *Speaker of the House* |
| State of Maine | |
| In the Year of Our Lord Twenty Thirteen | |

**JOINT RESOLUTION**
**HONORING THE VICTIMS OF THE BOSTON MARATHON EXPLOSIONS**

*WHEREAS*, on April 15, 2013, multiple explosions at the finish line of the 117th Boston Marathon, a horrific act of terrorism, killed at least 3 people and injured more than 175 people; and
*WHEREAS*, law enforcement's unprecedented response and willingness to put their lives on the line to protect the innocent and bring those responsible to justice is an inspiration to us all; and
*WHEREAS*, many of the victims of this tragedy, who are both United States citizens and international visitors, are friends and family members of athletes and spectators celebrating community, sport and the intense effort and sacrifice required to qualify for the Boston Marathon; and
*WHEREAS*, many Americans and people of the world watched with horror as the tragedy occurred and the day progressed; and
*WHEREAS*, heroic emergency medical technicians, police officers, firefighters, members of the National Guard and other first responders, as well as many marathon participants, volunteers and spectators, saved lives while putting themselves at risk; and
*WHEREAS*, Maine and Massachusetts have a special historical, economic and cultural relationship, extending back before our Nation's founding, including our mutual celebration of Patriot's Day as a state holiday, and scores of Maine people run in the Boston Marathon every year; now, therefore, be it
*RESOLVED*: That We, the Members of the One Hundred and Twenty-sixth Legislature now assembled in the First Regular Session, on behalf of the people we represent, join the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States in collective sorrow and anguish; and be it further
*RESOLVED*: That We, the Members of the One Hundred and Twenty-sixth Legislature, stand united with the people of Maine, the City of Boston, the Commonwealth of Massachusetts and the rest of the United States against violence perpetrated against innocents; and be it further
*RESOLVED*: That suitable copies of this resolution, duly authenticated by the Secretary of State, be transmitted to the Honorable Barack H. Obama, President of the United States, to the Representatives, to the governors of the State of Maine and Commonwealth of Massachusetts, the President of the Massachusetts Senate, the Speaker of the Massachusetts House of Representatives and the Mayor of the City of Boston.
**On motion of Mr. Tarr, the above communication and joint resolutions were ordered printed in the Journal of the Senate.**

*Orders of the Day.*

The Orders of the Day were considered, as follows:

The House Bill making appropriations for the fiscal year two thousand fourteen 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. 3401),-- w**as read a second time.**
**After remarks, and pending the main question on ordering the bill to a third reading and pending the question on adoption of the amendment as recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 3, the President made a ruling on the following tax amendments 2, 4, 5, 6, 7, 11, 12, 15, 16, 24, 38, 45 and 123, as follows:**

After examination of the House budget, Senate Counsel has advised that while the House budget is an appropriation bill, it is not a "money bill".

A "money bill" is one that has provisions that affect state revenue by either raising or lowering state tax levels or increasing or decreasing the amount of money in the General Fund through state taxes and tax credits.

Article 7 of the Constitution states that all "money bills" must originate in the House of Representatives.

Appropriation bills are not automatically "money bills", so the Senate can and does initiate spending bills from time to time, but the Senate cannot initiate bills that increase or decrease general tax revenues.

The parliamentary precedents of the Senate require the President to observe, with meticulous care, the constitutional prerogatives of the House of Representatives. Without waiting for a point of order to be raised, the President must see that the Senate does not originate a "money bill" in violation of the constitution.

After discussion with Senate Counsel, it has been determined that the House budget does not contain any provisions that raise or lower general state taxes.

Therefore, and consistent with prior Senate rulings (including the FY06, FY08, FY11, FY12 and FY13 Budgets), it would be unconstitutional for the Senate to entertain any amendments that seek to raise or lower state taxes or increase or decrease the amount of money in the General Fund through state taxes and tax credits.

As a result, the amendments are severally laid aside because, if adopted, they would unconstitutionally transform the Senate budget into a "money bill".

Mr. Tarr doubted the ruling of the Chair; and this motion was seconded by Mr. Knapik.

After debate, the question "Shall the ruling of the Chair stand?" was determined by a call of the yeas and nays, at seventeen minutes before twelve o'clock noon, on motion of Mr. Tarr, as follows, to wit *(yeas 33 — nays 4)* **[Yeas and Nays No. 40]**:
YEAS.
Barrett, Michael J. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Jehlen, Patricia D. Wolf, Daniel A. − 33.
Joyce, Brian A.
NAYS.
Hedlund, Robert L. Ross, Richard J.
Knapik, Michael R. Tarr, Bruce E. − 4.
ABSENT OR NOT VOTING.
Timilty, James E. − 1.

**The yeas and nays having been completed at twelve minutes before twelve o'clock noon, the ruling of the Chair stands; and the amendments were laid aside.**

Mr. Tarr moved that the proposed new text be amended by striking section 94 in its entirety.
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at one minute past twelve o'clock noon, on motion of Mr. Tarr, as follows to wit *(yeas 4 — nays 34)* **[Yeas and Nays No. 41]**:
YEAS.
Hedlund, Robert L. Ross, Richard J.
Knapik, Michael R. Tarr, Bruce E. − 4.
NAYS.
Barrett, Michael J. Keenan, John F.
Brewer, Stephen M. Kennedy, Thomas P.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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. Timilty, James E.
Jehlen, Patricia D. Welch, James T.
Joyce, Brian A. Wolf, Daniel A. − 34.

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

Messrs. Tarr, Michael O. Moore, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting after section __, the following new sections:-

"SECTION__. Subsection (c) of section 3 of chapter 63B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking said subsection and inserting in place thereof the following:—
(c) For purposes of this chapter, there shall be four 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 twelfth month of the taxable year. The amount of any installment shall be twenty-five per cent of the required annual payment.
SECTION__. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'sixty-five' in line 4 and inserting in place thereof the following:-- '50'.
SECTION__. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'ten' in line 9 and inserting in place thereof the following:-- '25'.
SECTION__. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'ninety' in line 14 and inserting in place thereof the following:-- '25'.
SECTION__. Section 4A of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'ten' in line 16 and inserting in place thereof the following:-- '25.'
SECTION__. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'thirty' in line 7 and inserting in place thereof the following:-- '25'.
SECTION__. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'twenty-five' in line 10 and inserting in place thereof the following:-- '25'.
SECTION__. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'twenty-five' in line 13 and inserting in place thereof the following:-- '25'.
SECTION__. Section 4B of chapter 63B of the General Laws, as so appearing, is hereby amended by striking the word 'twenty' in line 15 and inserting in place thereof the following:-- '25'.
SECTION__. Sections __ to __, inclusive, shall take effect beginning January 1, 2014."
After remarks, the amendment was *rejected*.

Messrs. Tarr, Michael O. Moore, Knapik and Ross moved that the proposed new text be amended by striking out section 17 and inserting in place thereof the following new section:-

"SECTION__. (a) Notwithstanding any general or special law to the contrary, the department of revenue shall develop and implement a tax amnesty program in accordance with the provisions of this section to be effective for a period not to exceed 3 consecutive calendar months between July 1, 2013 and June 30, 2014.

(b) The tax amnesty program shall be limited to the following taxpayers:
(i) taxpayers who receive written notice from the department that they are eligible for participation in the tax amnesty program with the following existing business tax liabilities: sales/use tax, sales tax on telecommunications services, meals tax, meals tax local option, material and 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/recreational vehicles sales tax; or
(ii) taxpayers who receive written notice from the department that they are eligible for participation in the tax amnesty program with existing Part B taxable income liabilities
(c) The tax amnesty program shall apply to taxes for which the department has issued a proposed assessment, notice of assessment, bill, notice or demand for payment on or after July 1, 2006, and before January 1, 2013, or to taxes that became due on or after 1, 2006, and before January 1, 2013.
(d) (i) 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 less than 10 per cent of the interest or more than 30 per cent

of the 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, of which the assessed liability remains unpaid.
(ii) A taxpayer who delivers or discloses any false or fraudulent application, document, return, or other statement to the department in connection with an amnesty application shall be ineligible for amnesty and shall be subject to the fraud penalty under present law, including under section 11A of chapter 62B of the General Laws, or a penalty of $10,000, whichever is greater.
(e) 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 further delay the payment of the tax and applicable interest portions of the assessment. The tax and applicable 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. The taxpayer and the commissioner shall then proceed with all administrative appeal rights that the taxpayer wishes to pursue with respect to the assessment.
(f) 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.
(g) 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, 2014; 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.
(h) The department shall publicize the tax amnesty program in order to maximize the public awareness of and participation in the program.
(i) Taxpayers electing to participate in the amnesty program who have paid under protest and filed suit shall agree that upon approval of their amnesty application, the department shall release their payment from escrow and apply it in accordance with the grant of amnesty.
(j) Amnesty shall only be granted for eligible taxes to eligible taxpayers, as determined by the department, who apply for amnesty during the amnesty period on forms prescribed by the department and who pay all of the tax, fees and costs, if applicable. If the amnesty application is approved, the commissioner shall waive the appropriate interest and all of the penalties associated with the tax periods to which amnesty is applied. No installment agreements will be entered into for tax periods that are approved for amnesty.
(k) The department may adopt regulations and provide notice that a cost of collection penalty may be imposed after the expiration of the tax amnesty period for any deficiency assessed for any taxable period due on or after July 1, 2006, and ending before January 1, 2014. This penalty shall be in addition to all other applicable penalties, fees, or costs.
(l) All revenues from this section shall go to the Tax Reduction Fund as established under Chapter 29 Section 2i."
After remarks, the amendment was *rejected*.

Ms. Chandler moved that the proposed new text be amended by inserting after section 72 the following section:-

"SECTION 72A. Section 9I of chapter 112 of the General Laws, as so appearing, is hereby amended by inserting after the word 'received', in line 7, the following words:-- at least."
**After remarks, the amendment was adopted.**
Mr. Montigny moved that the proposed new text be amended by inserting at the end thereof the following new section:-

"SECTION___. (A) Chapter 3, as appearing in the 2010 Official Edition, is hereby amended by adding the following new section:-
'Section 43A. No legislative agent, executive agent or lobbyist entity shall not (i) knowingly or willfully make a false statement or misrepresentation of facts to an executive, legislative or administrative member, official or public employee, or to the public in general, with the intent to influence executive, legislative or administrative member, official or public employee in their official deliberations, actions or duties, (ii) cause a written or oral communication to be sent to an executive, legislative or administrative member, official or public employee in the name of any fictitious person or in the name of any real person, except with the consent of such real person, (iii) attempt to create a fictitious appearance of public favor or disfavor of any proposed executive, legislative or administrative action, (iv) deceive or attempt to deceive any executive, legislative or administrative member, official or public employee with regard to any material fact pertinent to pending or proposed legislation or to any executive, legislative or administrative action, (v) knowingly transmit or cause a to be transmitted, a document containing a false statement or information to any executive, legislative or administrative member, official or public employee without notifying the member, official or public employee in writing of the truth.'

(B) Section 48 of said chapter 3, is hereby amended by inserting the words 'forty three A' after the words 'forty three' in line 2 of said section."
The amendment was *rejected*.

Mr. Brownsberger moved that the proposed new text be amended by adding the following new section:-

"SECTION XX. Clause Twenty-Sixth of Section 7 of Chapter 4 of the General Laws is hereby amended by adding after the word 'board,' the following words:- 'including the Massachusetts Bay Transportation Authority Retirement Board and any successor or subsidiary entity,'."
**The amendment was adopted.**
Mr. Montigny moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"Section __ (A) The executive office of administration and finance shall develop and operate a searchable website accessible by the public at no cost that includes:
(1) The names and business addresses of every person or business entity who conducts business with the Commonwealth as a vendor;
(2) The type of service provided by the vendor and the monetary amount of the vendor's contract with the Commonwealth;
(3) The recipient, amount and date of any political contribution made by that vendor.
(B) The searchable website shall allow users to search electronically by filed in a single search, aggregate the data and download information yielded by a search. The website shall, among other things, permit users to search by a particular vendor or by a specific type of contract.
(C) The searchable website shall include and retain information for each fiscal year for not less than five fiscal years.
(D) The executive office of administration and finance shall update the searchable website as new data becomes available. All agencies, offices or boards of the Commonwealth shall provide the executive office of administration and finance all data that is required to be included in the searchable website no later than thirty days after the data becomes available.
(E) The executive office of administration and financer shall not be considered in compliance with this section if the data required for the searchable website is not available in a searchable and aggregate manner of if the public is redirected to other government websites, unless each of those websites complies with the requirements of this section.
(F) For the purposes of this section, the term 'searchable website' shall mean a website that allows the public at no cost to search for, obtain and aggregate the information identified in subsection (A)."
After remarks, Mr. Montigny 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 then considered; and it was rejected.
Mr. Knapik moved that the proposed new text be amended by striking out sections 50 through 58.
After debate, the amendment was *rejected*.

Ms. Donoghue moved to amend the proposed new text by inserting after section __, the following new section:-
"SECTION __. (a) Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the general Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance, with the consent and approval of the University of Massachusetts Lowell, shall convey to the city of Lowell a parcel of land formerly owned by the city of Lowell in the city of Lowell and, as more particularly described below, to the city of Lowell for municipal purposes.
The parcel to be conveyed contains approximately 171,294 square feet. The parcel is bounded and described as follows: Beginning at a point in the southerly line of Pawtucket Boulevard at an angle in the southerly line, easterly of the easterly line of Boulevard Street about Station 27685.46 as shown on Sheet 6 of Layout 4478 dated August 28, 1956, as shown on plan entitled 'The Commonwealth of Massachusetts, Plan of Road in the city of Lowell, Middlesex County, laid out as a state highway by the department of public works, Scale 40 feet to an inch'; thence easterly along the southerly line of Pawtucket Boulevard four hundred ninety-seven (497) feet plus or minus to a point; thence southerly at an interior angle with the last described line through land of the city of Lowell four hundred and eighteen (418) feet feet plus or minus to the Merrimack River; thence westerly at an interior angle with the last described line along the Merrimack River four hundred and five (405) feet plus or minus to a point; thence northerly at an interior angle with the last described line three hundred and forty-eight (348) feet plus or minus to the point of the beginning. Containing 171,294 square feet plus or minus and being the same premises as shown on plan entitled, 'Compiled Subdivision of Land in Lowell, Mass., belonging to the City of Lowell, - Parcel A to be conveyed to Lowell Technological Institute – Compiled October 7, 1963, Scale 100 ft. = 1 inch, City Engineer's Office, Lowell, Mass., George M. McDonough, City Engineer'.
(b) Conveyance of said parcel shall represent the final remaining property transfer between the University of Massachusetts Lowell and the City of Lowell with respect to the property transactions concerning the 2010 University of Massachusetts Lowell acquisition of the Tsongas Arena from the City of Lowell.
(c) This act shall take effect immediately upon passage."
**After remarks, the amendment was adopted.**
Ms. Clark and Ms. Flanagan moved to amend the proposed new text by inserting, after section 88, the following new sections:-
"SECTION XX (a) Notwithstanding chapter 150E of General Laws, positions and employees of the sexual assault nurse examiner program within the department of public health shall maintain salary and benefits in effect prior to the transfer of such positions and employees pursuant to St. 2012 c. 139, §191(a) and shall not be subject to collective bargaining agreements within

the Department of Public Health. Nothing in this section shall confer upon any employee of the department's sexual assault nurse examiner Program any right not held immediately before the date of the transfer.
(b) Notwithstanding chapter 150E of the General Laws, the department may fill vacancies in positions transferred pursuant to St. 2012 c. 139 § 191(a); provided, however, that the salaries and benefits of individuals hired to fill vacant positions shall be comparable to the salaries and benefits of individuals transferred into the same or similar positions within the department's sexual assault nurse examiner program.
SECTION XX shall take effect on June 30, 2013 and shall be repealed June 30, 2014."
**The amendment was adopted.**
Mr. Wolf moved to amend the proposed new text by inserting after section ___, the following new section:-
"SECTION XX.
Section 18 of chapter 29C of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the words 'cent', in line 131, the following words:- , but all permanent loans and other forms of financial assistance made by the trust to finance the costs of certain public drinking water projects on the department's intended use plan for calendar year 2013 to calendar year 2023, inclusive, that meet the criteria listed below shall provide for a subsidy or other assistance in the payment of debt service such that the loans and other forms of financial assistance shall be the financial equivalent of a loan made at a zero rate of interest, and the costs of public drinking water projects on an intended use plan that are eligible for a permanent loan or other financial assistance from the trust at the financial equivalent of a loan made at a zero rate of interest shall not exceed 35 per cent of the total costs of all public drinking water projects on the intended use plan, provided however that, notwithstanding any other provision to the contrary, any eligible borrower that qualifies for a zero rate of interest loan shall be considered a disadvantaged community , so-called, and shall be eligible for a loan term not to exceed thirty (30) years. Projects that meet the following criteria, as verified by the department of environmental protection, are eligible for the zero rate of interest loans:
(1) The project's primary purpose is to protect health by providing a public water supply in response to groundwater contamination requiring compliance by the public entity under M.G.L. 21E;
(2) The project is located in a municipality which relies exclusively on on-site wastewater disposal systems for residential properties;
(3) The project is located in a municipality in which there is no existing municipality owned and operated drinking water supply system serving single family residential properties;
(4) the project is located in a municipality or district in which there is no existing publicly owned wastewater treatment facility;
(5) the applying municipality's density must be at eighty per cent or greater of build out as defined by the area regional planning agency or its equivalent;
To provide for such subsidy or assistance, in addition to the contract assistance provided in Section 6A, the state treasurer acting on behalf of the commonwealth shall enter into an agreement with the trust that the commonwealth shall enter into an agreement with the trust that the commonwealth shall provide contract assistance for debt service obligations on loans and other forms of financial assistance made by the trust to an maximum amount of $20,000,000 per fiscal year of the commonwealth. Such contract assistance agreement shall provide for payments by the commonwealth to the trust at such times during each fiscal year and upon such terms and under such conditions as the trust may stipulate. The trust may pledge such agreement and the rights of the trust to receive amounts there under as security for payment of debt obligations issued to the trust. Such agreement 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 trust and of the holders of any debt obligations of the trust which may be secured by the pledge of such agree mentor of amounts to be received by the trust under such agreement."
The amendment was *rejected*.

Ms. Clark, Ms. Spilka, Ms. O'Connor Ives, Ms. Chang-Diaz and Mr. Joyce moved to amend the proposed new text by inserting the text of Senate document numbered 1819, relative to real lives.
The amendment was *rejected*.

Ms. Clark and Mr. Tarr moved to amend the proposed new text by inserting after section 139, the following new section:-
"SECTION XX. Notwithstanding any general law or special law to the contrary, there shall be a student progression, remedial instruction and grade retention-reduction commission established to improve the rates of student progression, ensure appropriate remedial services, reduce grade retention rates, and improve the education strategies for parents about their rights and responsibilities when a child is retained. The commission shall examine and make recommendations as specified in sections 1 through 8 below.
The commission shall consist of the secretary of education or his designee who shall serve as chairperson; the commissioner of the department of elementary and secondary education or his designee; the commissioner of the department of children and families or his designee; the commissioner of the department of youth services or his designee; the commissioner of the department of mental health or his designee; the commissioner of the department of early education and care or his designee; the house and senate chairs of the joint committee on education; the house and senate chairs of the joint committee on children, families and persons with disabilities; 1 member to be appointed by the speaker of the house; 1 member to be appointed by the senate president; 1 member to be appointed by the house minority leader; 1 member to be appointed by the senate minority leader; 1 representative from the Massachusetts Association of School Superintendents; 1 representative of the Massachusetts Secondary School Administrators Association; 1 representative from the Massachusetts Association of School Committees; 1 representative of the American Federation of Teachers of Massachusetts; 1 representative of the Massachusetts Teachers

Association; 1 representative of the American Civil Liberties Union of Massachusetts; 1 representative from the Massachusetts School Nurses Association; 1 representative from the Massachusetts School Psychologists Association; 1 representative from the Massachusetts Chapter of the Academy of Pediatrics; 1 representative from the National Association of Social Workers; 1 representative from the Children's Mental Health Campaign: 1 representative from Massachusetts Advocates for Children, 1 student to be appointed by the Governor, 1 person from the Rennie Center for Education Research and Policy; 1 practicing child and adolescent psychiatrist to be appointed by the Governor; 1 representative from the Association of Elementary School Principals; and 1 representative from the Massachusetts Budget and Policy Center.
The commission shall review available research on grade retention, being overage for grade in relation to achievement, attendance, discipline, and dropping out in the Commonwealth and nationally. The commission shall examine research on or evidence-based and "promising" practices for reducing grade retention and improving student commitment and school "holding power". The commission shall understand Massachusetts school and district policies that may be contributing to disparate grade retention in different grades and districts. The commission shall identify school districts and schools with greater than three percent retention rates. The commission shall develop a model grade retention policy for Massachusetts schools, which shall include the following elements: the development of protocols that ensure children who are retained for academic delays have received referral for special education evaluation and are offered the appropriate remedial services; each school district with an annual grade retention rate of greater than 3 per cent shall develop a district-wide action plan to reduce grade retention and effectively track students; action plans shall include: interventions that will be used to identify students at risk for retention as early in the school year as possible, specific evidence-based interventions that will be utilized by the school district and how these plans will be monitored, and implemented; shall be submitted to the department of elementary and secondary education identifying a specific time-frame; strategies for communication with parents about their rights and responsibilities regarding their child's progress; the technical assistance support available from the department of early and secondary education to gather and analyze data, assist in the development and implementation of action plans and enhance a district's ability to meet the diverse needs of its student population. Technical assistance shall include research-based alternative options and strategies. The commission shall also establish a goal and timeline for reducing the statewide annual grade retention rates and shall examine developing early warning indicator systems (EWIS), currently being piloted, to identify students who are at risk of retention; and ensure appropriate referral for special education evaluation or other evidence-based interventions as identified by the commission. The commission shall estimate the fiscal impact of grade retention on the Commonwealth and its school districts. The commission shall hold its first meeting no later than 1 month subsequent to the last member being appointed. The commission shall create a report of its findings and recommendations and submit that report to the chairs of the ways and means committees and the clerks of the house of representatives and senate no later than 6 months from the commission's commencement."
The amendment was *rejected*.

Ms. Clark moved to amend the proposed new text by inserting after section 37, the following new section:-
"SECTION XXXX. Section 3 of chapter 32 of the General Laws as appearing in the 2008 Official Edition is hereby amended by inserting after the word "prisoners;" in line 252 the following words:- employees of the department of children and families holding the position of attorney who have been employed in such capacities for 10 years or more. "
The amendment was *rejected*.

Ms. Clark and Mr. Tarr moved to amend the proposed new text by inserting after section 37, the following section:-
"SECTION XX. Section 7(2)(a)(iii) of chapter 32, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 96, the words 'on the date of such member's retirement'."
The amendment was *rejected*.

Ms. Donoghue, Mr. Richard T. Moore, Ms. O'Connor Ives and Messrs. DiDomenico and Knapik moved to amend the proposed new text in subsection (b) of section 184C of chapter 94 of the General Laws, by inserting after the words "a correct display price" the following words:- "shelf tag;"; and in subsection (c) of section 184C of chapter 94 of the General Laws, by inserting after the words "a correct display price" the following words:- "shelf tag".
**After remarks, the amendment was adopted.**
Messrs. Wolf, Tarr and Rush moved to amend the proposed new text by inserting after section ___, the following new section:-
"SECTION XX.
Section 44 of chapter 130 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-
If the measurement of any such lobster taken from one or the other eye sockets is of the required length, such lobster shall be deemed to be a legal lobster. In all prosecutions under this section any mutilation of any lobster which affects its measurement as aforesaid shall be prima facie evidence that the lobster was or is less than the required length; provided, however, that the director shall, by regulation approved by the marine fisheries advisory commission, allow the on-shore processing in the commonwealth of live lobsters of legal length into frozen shell-on lobster tails by wholesale dealers that are licensed by the department of public health under section 77G of chapter 94. Processed frozen lobster tails may be possessed, sold or offered for sale in the commonwealth by any wholesale dealer, retail dealer or food establishments and such food product may be possessed by a consumer. The processing, possession or sale of said frozen lobster tails pursuant to this section shall be limited to lobster tails weighing 3 ounces or more. The packaging of processed frozen lobster tails pursuant to this section as a food product shall be labeled in accordance with applicable federal and state laws and regulations. This section shall not apply to common carriers

having lobster in possession for the purpose of transportation."
Pending the question on adoption of the amendment (Wolf, et al), Messrs. Wolf and Tarr moved that the pending amendment be further amended by inserting, in line 5, after the word "length" the following words:- ", and not bearing eggs,"; and by inserting, in line 8, after the word "more" the following words:-", and not containing eggs".
After remarks, the further amendment (Wolf-Tarr) was adopted.
The pending amendment (Wolf, et al), as amended (Wolf-Tarr), was then adopted.
Mr. Wolf moved to amend the proposed new text by inserting after section ____, the following new section:-
"SECTION____. There shall be a standing commission to investigate and study how poverty in the commonwealth can be reduced by 10 per cent in the next 5 years and 20 per cent in the next 10 years by engaging the public, private, and non-profit sectors drawn from all regions of the commonwealth and representing rural, urban and suburban populations. The investigation and study shall include, but not be limited to: (1) appropriate measures of poverty; (2) the root causes of poverty; (3) analysis of income inequality in Massachusetts, in particular examining the number of people and families in the commonwealth living below 200 per cent of the federal poverty level and the socio-economic challenges they face, while also calculating the number of people and families living at multiples above the federal poverty level; (4) violence in urban areas, particularly gun violence, and its effect on youth, commercial activity, and job opportunities in the community; (5) the number and types of existing jobs and the economically competitive strengths of the commonwealth; (6) obstacles to job opportunities for the poor; (7) recent examples and categories of successful paths out of poverty for youth, families, and neighborhoods; and (8) successful approaches and innovative system change efforts to reducing poverty and violence from within the commonwealth and throughout North America. The commission shall also produce data, estimates, and conduct analysis on the potential long-term municipal and state government savings that would result from effective poverty reduction efforts throughout the commonwealth as the number of people in need of government safety net spending is reduced. The commission shall establish and methodology for calculating annually relevant and appropriate metrics of poverty in the commonwealth.
The commission shall consist of the following 25 members: the secretary of administration and finance, or a designee; the secretary of housing and economic development, or a designee; the secretary of health and human services, or a designee; the secretary of transportation, or a designee; the secretary of labor and workforce development, or a designee; the secretary of education, or a designee; the secretary of public safety and security, or a designee; 2 appointees to be chosen by the speaker of the house of representatives; 2 appointees to be chosen by the president of the senate; 1appointee to be chosen by the minority leader of the house of representatives; 1 appointee to be chosen by the minority leader of the senate; 1 appointee to be chosen by the Massachusetts Mayors Association; 1 appointee to be chosen by the Massachusetts Non-Profit Network; 1 appointee to be chosen by the MassInc.; 1 appointee to be chosen by a Massachusetts based philanthropic foundation; 1 appointee to be chosen by FSG or similar social impact consultant; 1 appointee to be chosen by the Institute for a Competitive Inner-City; 1 appointee to be chosen by the Massachusetts AFL-CIO; 1 appointee to be chosen by the Massachusetts Budget and Policy Center; 1 appointee to be chosen by a chamber of commerce in the commonwealth; 1 appointee to be chosen by the Massachusetts Council of Churches; 1 appointee to be chosen by the Massachusetts Association for Community Action; and 1 appointee to be chosen by an organization providing legal services to low-income people.
The commission shall report its findings to the general court, along with any legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the house of representatives and the senate on or before November 30, 2013."
The amendment was *rejected*.

Mr. Wolf, Ms. Donoghue, Ms. Spilka, Mr. DiDomenico, Ms. Flanagan, Ms. Clark, Mr. Downing, Ms. Jehlen, Ms. Candaras, Ms. Creem, Ms. Chang-Diaz, Mr. Brownsberger, Ms. Lovely, Messrs. Barrett, Finegold, Knapik, Montigny, Rodrigues and Welch, Ms. O'Connor Ives, Messrs. Rush, Joyce, Timilty, Michael O. Moore, Eldridge, McGee, Kennedy and Donnelly moved that the proposed new text be amended in section 2, in item 0640-0300, by striking out the figure "$6,589,935" and inserting in place thereof the following:- "$8,089,935".
**The amendment was adopted.**
Ms. Donoghue, Messrs. Rodrigues, Michael O. Moore and Welch, Ms. O'Connor Ives, Ms. Lovely, Mr. Ross, Ms. Candaras, Messrs. Knapik, Eldridge, DiDomenico, Timilty, Kennedy, Joyce and Finegold, Ms. Clark, Ms. Creem and Messrs. Petruccelli, Hedlund and Tarr moved that the proposed new text be amended in section 112 by striking out the words "and (iii)" and inserting in place thereof the following words:- "(iii) transfer $21,250,000 from the General Fund to supplement unrestricted general government aid distributed to cities and towns in fiscal year 2014 under section 3; and (iv)".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes before one o'clock P.M., on motion of Mr. Knapik, as follows, to wit *(yeas 37 — nays 0)* **[Yeas and Nays No. 42]**:
YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. Montigny, Mark C.
Chandler, Harriette L. Moore, Michael O.
Chang-Diaz, Sonia Moore, Richard T.
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. Petruccelli, Anthony

Donnelly, Kenneth J. Rodrigues, Michael J.
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Ross, Richard J.
Eldridge, James B. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Hedlund, Robert L. Timilty, James E.
Jehlen, Patricia D. Welch, James T.
Joyce, Brian A. Wolf, Daniel A. − 37.
Keenan, John F.
NAYS − 0.
ABSENT OR NOT VOTING.
McGee, Thomas M. − 1.

The yeas and nays having been completed at five minutes before one o'clock P.M., the amendment was adopted.
Mr. Tarr moved that the proposed new text be amended in section 2, by inserting, after item xxxx-xxxx, the following item:
"xxxx-xxxx For services and costs associated with the repair of Mill Pond dam in the town of Rockport…….. $300,000".
The amendment was *rejected*.

Mr. Tarr moved that the bill be amended in section 2, in item 1410-0010, by adding at the end thereof the following:- "; provided further, that not less than $10,000 shall be expended for the construction of a war memorial on state route 1A in the town of Wenham".
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, that not less than $25,000 shall be expended for a child safety grant to the town of North Reading".
The amendment was *rejected*.

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 $50,000 be expended for the rehabilitation of the State Theatre in the town of Stoughton"; and in said item by striking out the figures "$792,000" and inserting in place thereof the figures "$842,000".
The amendment was *rejected*.

Messrs. Rodrigues and Joyce moved that the proposed new text be amended in section 2, in item 1233-2400, by striking out the figure "$26,270,000" and inserting in place thereof the following figure:- "$27,270,000".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at two minutes before one o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 38 — nays 0)* **[Yeas and Nays No. 43]**:
YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 38.
NAYS − 0.

The yeas and nays having been completed at one minute past one o'clock P.M., the amendment was adopted.
Mr. Donnelly moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after line item 1599-0026 the following line item:-

"xxxx-xxxx For a reserve for costs incurred in response to the July 18, 2012 microburst storm in the town of Arlington; provided that expenditures from this item shall be offset by federal reimbursements to the extent available.....$307,540.26".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 1410-1616, by inserting after the word "yard", the following words:- "; provided further, that not less than $15,000 shall be expended for the Vietnam Veterans Moving Wall project in the town of Medway"; and by striking out the figure "$160,000" and inserting in place thereof the figure:- "$175,000".
**The amendment was adopted.**
Messrs. Donnelly, Keenan, Wolf, Kennedy and Finegold, Ms. Jehlen and Messrs. Ross, Pacheco and Michael O. Moore moved that the proposed new text be amended by striking out section 37 and inserting in place thereof the following section:-
"SECTION 37. Section 58 of chapter 31 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word 'town', in line 33, the following words:- ; provided, however, a city or town may increase said ten mile residency limit under a collective bargaining agreement negotiated under chapter 150E of the General Laws".; and by inserting the following new section:-
"SECTION XX. Paragraph (d) of section 7 of chapter 150E of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after clause (p) the following clause:-
(p 1/2) the third paragraph of section 58 of chapter 31;."
**The amendment was adopted.**
Messrs. Donnelly, Ross, Rush and Eldridge moved that the proposed new text be amended by inserting, after section 62, the following new section:-
"SECTION XX. Section 10 of chapter 70B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following new subsection, after subsection (c):
(d) For approved school projects for regional vocational technical school districts which have had out of out of district enrollment of 25 per cent or more during 5 or more of the 10 years preceding approval, the reimbursement percentage otherwise calculated pursuant to subsection (a) shall be increased by 10 per cent, provided that the total reimbursement percentage shall not exceed the maximum grant percentage under the first paragraph of this section."
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section __, the following new sections:-
"SECTION _. Notwithstanding sections 32 through 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance shall purchase a certain parcel of land in the town of Middleton from Teresa Farley, the seller, to be used for parking at the Essex County Jail. The purchase shall be subject to such terms and conditions as the commissioner of capital asset management and maintenance may prescribe.
The parcel to be purchased is 40,505 square foot located off Maple St near the intersection with Manning Avenue. It is known as Map 20 Lot 14 A on the Middleton Assessors Maps.
It is further described as Lot A on a 'Plan of Land in Middleton, MA prepared for George M. and Teresa Farley' done by John A. Goodwin P.L.S. of Goodwin Survey Company, Inc. 95 Liberty St. Middleton, MA 01949 dated December 10th, 1992 recorded at the Essex County South Registry of Deeds in Plan 80 in Plan Book 280 on February 11, 1993.
The subject parcel being part of an original conveyance of 2.5 acres as shown on Plan 236 of 1928 at the Essex County South Registry of Deeds owned by Charles G. Woodbridge, surveyed by Phillip J Leary, C.E. 31 Exchange St., Lynn, MA November 1927.
The Two Hundred Eighty Eight Maple Street Real Estate Trust acquired said parcel via a quitclaim deed from Teresa Farley on January 13, 2012 and is recorded in Book 31004 Page 243 at the Essex County South Registry of Deeds.
SECTION _. The consideration to be paid for said property described in section 1 shall be the full and fair market value of the property, as determined by the commissioner of capital asset management and maintenance based upon an independent appraisal. The inspector general shall review and approve the appraisal and the review shall include a review of methodology used for the appraisal. The inspector general shall prepare a report of his review and file the report with said commissioner for submission to the house and senate committees on ways and means and chairmen of the joint committee on state administration.
SECTION _. Notwithstanding any general or special law to the contrary, the seller shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, surveys, appraisals and preparation related to the conveyance authorized in this act as such costs may be determined by the commissioner of capital asset management and maintenance."
The amendment was *rejected*.

Messrs. Ross, Tarr and Knapik moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Chapter 3 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 10A the following section:-
SECTION 10B. Any city and town in which a special election has taken place shall be reimbursed for the total net costs within 30 days of the special general election."
Pending the question on adoption of the amendment (Ross, et al), Mr. Tarr moved that it be further amended by inserting, after the word "a" the following word:- "statewide".
After remarks, the further amendment (Tarr) was rejected.
The pending amendment (Ross, et al) was then considered, and it was rejected.
Mr. Ross moved that the proposed new text be amended by inserting the text of Senate document numbered 1820, relative to

pesticide licensing and mosquito control
The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Section 21 of chapter 40 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 5, the word 'three hundred' and inserting in place thereof the following word:- 'eight hundred'."
The amendment was *rejected*.

Messrs. Ross, Knapik and Tarr moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Section 2 of chapter 70 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the third and fourth definitions 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*.

Messrs. Pacheco and Ross moved that the proposed new text be amended, in section 2 by inserting after item 1000-0001 the following item:-
"Massachusetts Gaming Commission.
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…….. $1,150,000".
**After remarks, the amendment was adopted.**
Messrs. Joyce and Wolf, Ms. Creem, Ms. Candaras, Messrs. Timilty and Brownsberger, Ms. Donoghue, Messrs. Finegold and Donnelly, Ms. Lovely and Ms. Spilka moved that the proposed new text be amended by inserting after section __ the following new section:-
"SECTION __. (a) Section 22 of Chapter 211 of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: The Chief Justice of the Supreme Judicial Court shall receive a salary of $186,579.00; and each Associate Justice of the Supreme Judicial Court shall receive a salary of $180,097.00, all effective July 1, 2013; and such compensation shall be increased at the same rate of increase, if any, as the percentage change in the Consumer Price Index for Urban Workers for the Northeast Region commencing the first day in July of the year 2014, and every year thereafter, and the Chief Justice and Associate Justices shall annually receive from the Commonwealth upon the certificate of the Chief Justice the amount of expenses incurred by each of them in the discharge of their duties.
(b) Section 2 of Chapter 211A of the General Laws is hereby amended by striking out the first sentence and inserting in place thereof the following sentence: The Chief Justice of the Massachusetts Appeals Court shall receive a salary of $173,156.00; and each Associate Justice of the Massachusetts Appeals Court shall receive a salary of $166,653.00, all effective July 1, 2013; and such compensation shall be increased at the same rate of increase, if any, as the percentage change in the Consumer Price Index for Urban Workers for the Northeast Region commencing the first day in July of the year 2014, and every year thereafter; and the Chief Justice and the Associate Justices shall annually receive from the Commonwealth upon the certificate of the Chief Justice the amount of expenses incurred by each of them in the discharge of their duties.
(c) Section 4 of Chapter 211B of the General Laws is hereby amended by striking out the first three paragraphs and inserting in place thereof the following four paragraphs:
The salaries of the Justices of the Trial Court shall be paid by the Commonwealth. Each Associate Justice shall receive a salary of $160,000.00.
The Chief Justice of the several Departments of the Trial Court shall receive a salary of $166,699.00.
The Chief Justice of the Trial Court shall receive a salary of $173,156.00.
The foregoing salaries, all effective July 1, 2013, shall be increased at the same rate of increase, if any, as the percentage change in the Consumer Price Index for Urban Workers for the Northeast Region commencing the first day in July of the year 2014, and every year thereafter."
The amendment was *rejected*.

Mr. Joyce, Ms. Lovely, Mr. Brownsberger, Ms. Jehlen, Ms. Creem, Ms. Clark, Mr. Eldridge, Ms. Candaras and Mr. McGee moved that the proposed new text be amended in section 2, in item 0321-2000, by striking out the figures "$837,712" and inserting in place thereof the following figures:- "$938,683".
The amendment was *rejected*.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 0330-0300, by inserting after the words "law libraries" the following new text:- ", provided further that the law library located in the Bristol Superior Court in Taunton shall operate as a full service library 5 days a week Monday thru Friday from 8:00 am - 4:00 pm;".
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-seven minutes before two o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 6 — nays 32)* **[Yeas and Nays No. 44]**:

YEAS.
Candaras, Gale D. Pacheco, Marc R.
Kennedy, Thomas P. Rodrigues, Michael J.
Lovely, Joan B. Ross, Richard J. − 6.
NAYS.
Barrett, Michael J. Joyce, Brian A.
Brewer, Stephen M. Keenan, John
.
Brownsberg
r, William N. Knapik, Michael R.
Chandler, Harriette L. McGee, Thomas M.
Chang-Diaz, Sonia Montigny, Mark C.
Clark, Katherine M. Moore, Michael O.
Creem,
Cynthia Stone Moore, Richard T.
DiDomenico, Sal N. O'Connor Ives, Kathleen
Donnelly, Kenneth J. Petruccelli, Anthony
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Rush, Michael F.
Eldridge, James B. Spilka, Karen E.
Finegold, Barry R. Tarr, Bruce E.
Flanagan, Jennifer L. Timilty, James E.
Hedlund, Robert L. Welch, James T.
Jehlen, Patricia D. Wolf, Daniel A. − 32.

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

Mr. Tarr moved that the proposed new text be amended in section 2, in item 0810-0013, by inserting at the end thereof the following:- "provided further, that sums from this account may be expended to increase awareness of the availability of the false claims program to address fraud in programs of public assistance".
The amendment was *rejected*.

Ms. Flanagan and Messrs. Joyce, DiDomenico and McGee moved that the proposed new text be amended by inserting after section 93 the following:-
"SECTION 93A. Section 1 of chapter 258C of the General Laws, as so appearing, is hereby amended by striking out the definition of 'claim' and inserting in place thereof the following 2 definitions:-
'Catastrophic injury', an injury that creates a permanent impairment for the victim, including: (i) a spinal cord injury involving paralysis; (ii) amputation of an arm, hand, foot or leg; (iii) severe brain injury; (iv) second or third degree burns on 25 per cent or more of the total body surface or third degree burns on 5 per cent or more of the face and hands; (v) total or functional loss of vision or hearing; (vi) severe communication, sensory or motor disturbances; or (vii) any other injury that would otherwise qualify under this chapter.
'Claim', an application for compensation under this chapter.
SECTION 93B. Section 3 of said chapter 258C is hereby amended by striking out subsection (a), as so appearing, and inserting in place thereof the following subsection:-
(a) The maximum award for compensation to a claimant under this chapter shall be $25,000; provided, however, that the maximum award for compensation to a claimant with a catastrophic injury under this chapter shall be $50,000. If there are 2 or more claimants eligible for compensation arising out of a crime committed against 1 individual for the same crime, each claimant shall be entitled to the out-of-pocket losses of every other claimant. The cumulative total of all awards based on such crime shall not exceed $25,000; provided, however, that the cumulative total of all awards based on such crime for catastrophic injuries shall not exceed $50,000.
SECTION 93C. Said section 3 of said chapter 258C is hereby further amended by striking out, in line 12, as so appearing, the figure '$6,500' and inserting in place thereof the following figure:- $8,000.
SECTION 93D. Said chapter 258C is hereby further amended by adding the following section:-
Section 14. When a person files a claim under this chapter, no health care provider, as defined in section 1 of chapter 111, that has been given notice of the claim shall conduct any debt collection activities relating to medical or dental treatment received by the person in connection with the claim until an award has been made on the claim or until the claim has been denied. The period during which the health care provider shall be prohibited from conducting debt collection activities under this section shall be excluded in determining the applicable limitations period for commencing an action to collect the debt. For the purposes of this section, "debt collection activities" shall mean repeatedly calling or writing the claimant or threatening to turn the matter over to a debt collector, as defined in section 24 of chapter 93, for collection, enforcement or filing of other process; provided, however, that "debt collections activities" shall not include the routine billing or inquiries about the status of a claim."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-one minutes before two o'clock P.M., on motion of Ms. Flanagan, as follows, to wit *(yeas 37 — nays 0)* **[Yeas and Nays No. 45]**:

YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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. Tarr, Bruce E.
Hedlund, Robert L. Timilty, James E.
Jehlen, Patricia D. Welch, James T.
Joyce, Brian A. Wolf, Daniel A. − 37.
Keenan, John F.
NAYS − 0.
ANSWERED "PRESENT".
Ross, Richard J. (present) − 1.

The yeas and nays having been completed at seventeen minutes before two o'clock P.M., the amendment was adopted.
Mr. Downing moved that the proposed new text be amended in section 2, by striking out item 0340-1100 and inserting in place thereof the following item:-
"0340-1100 For the Berkshire district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program, the drug task force and the domestic violence unit; provided, that 50 per cent of fees payable under Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; provided further, that funds shall be expended for the operation and management of the Berkshire County Drug Task Force; and provided further, that $96,895 shall be expended for increased rent and lease costs in FY 2014……$3,825,694".
**The amendment was adopted.**
Messrs. Tarr, Hedlund, Knapik, Ross and Timilty moved that the proposed new text be amended by inserting after section _ the following section:-
"SECTION _. Chapter 12 of the General Laws is hereby amended by inserting after section 5O the following section:-
Section 5P. The attorney general shall have a cause of action to recover any and all money for or on behalf of the commonwealth against any individual, convicted of 18 U.S.C. s 2332a(a) or section 102(b) or 102(C) of chapter 266, who has previously collected public assistance, financial assistance, or received any other direct financial benefit from the commonwealth. Notwithstanding section 5H, all money recovered by the commonwealth under this section as a result of actions brought by the attorney general, other than costs and attorney's fees, shall be credited by the state treasurer to benefit victims of the criminal act."
**The amendment was adopted.**
Recess.
At sixteen minutes before two o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at three minutes before three 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 two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.
Messrs. Downing, Montigny, Rodrigues, Timilty and Welch, Ms. Candaras, Messrs. McGee and Keenan, Ms. Lovely and Messrs. Joyce and Rush moved that the proposed new text be amended in section 2, in item 0340-0100, by striking the figure "$16,942,414" and inserting in place thereof the figure "$17,597,052";
In item 0340-0198 by striking the figure "$354,303" and inserting in place thereof the figure "$369,892";
In item 0340-0200, by striking the figure "$14,451,985" and inserting in place thereof the figure "$15,007,484";
In item 0340-0298 by striking the figure "$516,485" and inserting in place thereof the figure "$539,210";
In item 0340-0300, by striking the figure "$8,872,189" and inserting in place thereof the figure "$9,220,805";
In item 0340-0398 by striking the figure "$504,351" and inserting in place thereof the figure "$526,542";
In item 0340-0400, by striking the figure "$9,377,263" and inserting in place thereof the figure "$9,744,971";

In item 0340-0498, by striking the figure "$413,499" and inserting in place thereof the figure "$431,693";
In item 0340-0500, by striking the figure "$8,447,444" and inserting in place thereof the figure "$8,774,240";
In item 0340-0598 by striking the figure "$339,899" and inserting in place thereof the figure "$354,855";
In item 0340-0600, by striking the figure "$5,262,902" and inserting in place thereof the figure "$5,463,150";
In item 0340-0698 by striking the figure "$294,248" and inserting in place thereof the figure "$307,195";
In item 0340-0700, by striking the figure "$8,650,626" and inserting in place thereof the figure "$8,989,494";
In item 0340-0798 by striking the figure "$427,306" and inserting in place thereof the figure "$446,107";
In item 0340-0800, by striking the figure "$7,508,951" and inserting in place thereof the figure "$7,797,585";
In item 0340-0898 by striking the figure "$429,842" and inserting in place thereof the figure "$448,755";
In item 0340-0900, by striking the figure "$7,811,053" and inserting in place thereof the figure "$8,112,979";
In item 0340-0998 by striking the figure "$326,318" and inserting in place thereof the figure "$340,676";
In item 0340-1000, by striking the figure "$3,828,541" and inserting in place thereof the figure "$3,965,677";
In item 0340-1098 by striking the figure "$278,735" and inserting in place thereof the figure "$290,999";
In item 0340-1100, by striking the figure "$3,728,799" and inserting in place thereof the figure "$3,861,546";
In item 0340-1198 by striking the figure "$215,126" and inserting in place thereof the figure "$224,592";
Item 0340-2100, by inserting after the words "the amount appropriated in this item" the following:- "provided further, that not less than $200,000 shall be spent on procuring a vendor for a new case management system"; and
In item 0340-2100, by striking the figure $1,660,006 and inserting in place thereof the figure "$1,860,006".
The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 10, by inserting after section XX the following new section:- "SECTION XX. Chapter 221 of the Generals Laws, as appearing in the 2010 Official Edition, is hereby amended in section 7 by striking out the following words:- 'of the several counties except Suffolk'."
The amendment was *rejected*.

Ms. Jehlen moved that the proposed new text be amended in section 2, in item 0330-0300, by inserting at the end thereof the following:- "provided further, that not less than $30,000 shall be spent for the 'Grandparents Raising Grandchildren Project' to provide legal services to such grandparents in the areas of family law and public benefits, and further requiring the chief justice of administration and management to make a report to the General Court on or before January 1, 2014, of all grandparents who requested legal services, their eligibility for such services and whether or not they were denied due to insufficient resources, including the legal problem for which they sought assistance"; and by striking out the figure "$219,244,450" and inserting in place thereof the following figure:- "$219,274,450".
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting, after section __, the following new section:- "SECTION __. Section 3 of chapter 6 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 1, after the figure '$26,025' the following:- and an additional amount to be calculated by applying the adjustment percentage most recently ascertained by the governor pursuant to Article CXVIII of the Articles of Amendment to the Constitution to the preceding figure."
The amendment was *rejected*.

Ms. Donoghue moved that the proposed new text be amended in section 2, by inserting after item 0330-0559 the following new item:-
"XXXX-XXXX For the development and operation of a pilot drug court session at the Lowell District Court in Middlesex County that seeks to reduce recidivism, the impact of repeat drug offenders on the local criminal justice system, the drug-related court workload and can be replicated in other Massachusetts courts..... $250,000."
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, by inserting after item 0810-0201 the following item: "0810-0223 For the purpose of funding the Uniform Law Commission; provided, that prior fiscal year payments may be payable from this appropriation.....$300,000".
The amendment was *rejected*.

Ms. Creem and Mr. Michael O. Moore moved that the proposed new text be amended by inserting, after section ___, the following new sections:-
"SECTION __. The first paragraph of paragraph (4) of subsection (A) of section 3 of chapter 90C of the General Laws is hereby amended by striking the words 'filing fees' and replacing them with the following:- 'filing fees; provided further, that the filing 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*.

Ms. Creem, Messrs. Eldridge, Keenan and Michael O. Moore and Ms. Chang-Diaz moved that the proposed new text be amended by inserting the text of Senate document numbered 1821, relative to raising the age limit on juvenile jurisdiction.
The amendment was *rejected*.

Ms. Creem and Mr. Tarr moved that the proposed new text be amended by inserting the text of Senate document numbered 1822, relative to collection of data on juvenile justice.
The amendment was *rejected*.

Ms. Candaras and Messrs. Finegold, Rush and Michael O. Moore moved that the proposed new text be amended in section 2, in item 0337-0002, by adding at the end therefor the following:- "provided, that the department shall expend funds for CASA programs as appearing in items 0337-0300, 0337-0400, 0337-0600, 0337-0700 of section 2 of chapter 182 of the acts of 2008, provided further that $75,000 shall be expended for the Boston CASA Program".
The amendment was *rejected*.

Mr. Richard T. Moore, Ms. Flanagan and Ms. Chandler moved that the proposed new text be amended, in section 2 by striking out item 0340-0400 and inserting in place thereof the following item:-
"0340-0400 For the Worcester district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable under Massachusetts Rules of Criminal Procedure 15(d) and 30(c)(8) for appeals taken by the office shall be paid from this item; provided further, that no assistant district attorney shall be paid an annual salary of less than $37,500; and provided further, that $323,320 shall be expended for rent and lease costs and other related expenses in FY 2014……$9,700,583".
**After remarks, the amendment was adopted.**
Mr. Tarr moved that the proposed new text be amended by inserting the following new section:-
"SECTION__. Section 2Z of Chapter 29 of the General Laws, as appearing in the 2010 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. Tarr moved that the proposed new text be amended, in section 5, by striking clause (b), as appearing in lines 15-24, inclusive, and inserting in place thereof the following:-
"(b) There shall be an art commission for the state house consisting of 7 members, 3 of whom shall be appointed by the governor; 1 of whom shall appointed by the senate president, 1 of whom shall be appointed by the minority leader of the senate; 1 of whom shall be appointed by the speaker of the house of representatives, and 1 of whom shall be appointed by the minority leader of the house of representatives. All of the members shall be residents of the commonwealth qualified by training and experience in public art, museum collections or historic preservation. Commission members shall serve for 5 year terms without compensation, but shall be reimbursed for travel and other expenses necessary for the performance of their duties, as approved by the superintendent of the state house and paid for from the State House Special Event Fund established in section 35P of chapter 10. The commission may adopt its own rules and elect such officers from its own members as may be considered proper."
After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting, after section __, the following new section:-
"SECTION 91. Section 7A of chapter 271 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the first appearance of the word 'bazaar' in line 36 the following:- ', except that the sponsoring organization may retain, at a reasonable fee, non-members to assist in the operation of such raffle or bazaar, including providing paid dealers and game supervisors to insure that the rules of the game are properly administered and complied with, so long as only qualified members of the sponsoring organization handle the funds collected and disbursed at the raffle or bazaar'."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2 , by inserting after item 0610-0051 the following item:
"0610-0060 For the costs associated with the investigation and enforcement division of the alcoholic beverages control commission's implementation of the enhanced liquor enforcement programs, known as Safe Campus, Safe Holidays, Safe Prom and Safe Summer; provided, that funds from this appropriation shall not support other operating costs of item 0610-0050..... $150,000".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting at the end the following new sections:-
"SECTION XX. Section 12 of chapter 68 of the Acts of 2011 is hereby amended by striking the words:- 'and (9) collaborate with other state agencies, authorities and other entities to carry out these purposes.' and inserting in place thereof the following:-

(9) track all reports, whether completed or not, required by law to be performed by all secretariats, commissions, departments, agencies, quasi-state agencies or entities of the commonwealth and required to be submitted to the clerks of the house or senate or a legislative committee or subcommittee; (10) make all legislative directives conspicuously available and accessible online in searchable format on the office of commonwealth performance, accountability and transparency website; and (11) collaborate with other state agencies, authorities and other entities to carry out these purposes.
SECTION XXX. Notwithstanding any general or special law to the contrary, all commissions, secretariats, departments, agencies, quasi-state agencies or entities of the commonwealth required by law to file a report with the clerks of the house of representatives and the senate, or with the chairs of any legislative committee, shall file said report via electronic means and shall provide an electronic copy of the report to the office of commonwealth performance, accountability and transparency. Said office of commonwealth performance, accountability and transparency shall monitor the progress of all required reports and prominently make all reports available to the public via its website. A secretariat, department, agency, quasi-state agency or any other entity of the commonwealth shall provide a copy in hard copy format of any report upon request."
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7003-1206, by adding at the end thereof the following: "provided that not less than $91,928 shall be expended for the Moving Ahead Program at the St. Francis House in Boston"; and in said item, by striking out the figures "$600,000" and inserting in place thereof "$691,928".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting, after section ___ the following new section:-
"SECTION ____. Chapter 11 of the General Laws, as most recently amended by chapter 172 of the acts of 2011, is hereby amended by inserting after section 12 the following new section:- Section 12A. The state auditor shall conduct an audit of credit cards issued on behalf of all state agencies. 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, 2013"
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund, Ross and Knapik 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 public employment commission consisting of the following members: the chair of the senate committee on post audit and oversight, who shall serve as co-chair of the commission; the chair of the house committee on post audit and oversight, who shall serve as co-chair of the commission; the vice-chair of the senate committee on post audit and oversight; the vice-chair of the house committee on post audit and oversight; the ranking minority member of the senate committee on post audit and oversight; the ranking minority member of the house committee on post audit and oversight; the chief officer of the human resources division, or his designee; the chief justice for administration and management, or his designee; the state auditor, or his designee; the state inspector general, or his designee; and the secretary for administration and finance, or his designee. The commission shall conduct a comprehensive review and evaluation of public employment and compensation in the commonwealth, including, but not limited to: a comparison of public employees with salaries above $100,000 in the current fiscal year and the change in the number of such employees for each of the previous 10 fiscal years across all branches, offices, departments, agencies and authorities of the commonwealth; a comparison of the job titles or classifications of public employees with salaries above $100,000 and the disparities, if any, between such employees and employees with similar titles or classifications across all branches, offices, departments, agencies and authorities of the commonwealth; and the change in staffing levels of all branches, offices, departments, agencies and authorities of the commonwealth for the previous 10 fiscal years. The commission shall consider the potential cost or savings that may be realized by standardizing staffing levels, job titles, salaries, and job classifications throughout state government and its subdivisions. The commission shall also consider the best practices of other states or governmental entities, and any applicable private sector employers deemed applicable with regard to employment. The commission shall submit its findings and recommendations, together with drafts of legislation or regulations necessary to carry those recommendations into effect by filing the same with the governor, the clerks of the house of representatives and senate, and the house and senate committees on ways and means, not later than March 30, 2014."
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 work not less than 18.5 hours a week and shall be compensated at the rate of not less than $5,000 per year.'."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Knapik, Ross and Joyce moved that the proposed new text be amended by inserting, after section __, the following sections:-
"SECTION__. Chapter 29 of the General Laws, as inserted by chapter 165 of the Acts of 2012, is hereby amended by inserting

after section 5H the following section:-
Section 5I:
(a) For purposes of this section, 'zero-based budget' shall mean a budget: (i) in which the appropriations are developed based on the cost-effective achievement of the tasks and goals of a particular agency or department without regard to prior appropriations, adjusted for inflation or otherwise; (ii) which has a $0 dollar amount as its basis; and (iii) which reflects the amount of funding deemed necessary to achieve the most cost-effective performance of each agency or department.
(b) Not less frequently than every 4 years, the budget filed by the governor under sections 6, 6C, 6D and 7H shall be a zero-based budget. The appropriation or set of appropriations for each agency or department shall be accompanied by a brief description of the tasks and goals of the agency or department for a period not to exceed 4 years, together with the performance measure of the achievement of those tasks and goals, published with the document and made available electronically on the official website of the commonwealth.
SECTION__. The first zero-based budget required under section 5I of chapter 29 shall be filed under section 7H of said chapter 29 for the fiscal year starting on July 1, 2016."
**After remarks, the amendment was adopted.**
Mr. Petruccelli moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 1201-0911 the following item:-
"xxxx-xxxx for the Commonwealth Sewer Rate Relief Fund, established in section 2Z of chapter 29 of the General Laws……..……. $600,000".
The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by adding the following section:
"SECTION XXXX. Section 49 of Chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:
Section 49. (a) There shall be within the executive office of administration and finance, but not subject to its control, a public employee retirement administration commission consisting of nine members, three of whom shall be appointed by the governor, three of whom shall be appointed by the state auditor, one of whom shall be appointed by the Speaker of the House, one of whom shall be appointed by the Senate President, and one of whom shall be chosen by the first eight members and who shall be chairman. Of the three persons appointed by the governor, one shall be the governor or his designee, one shall be a representative of a public safety union, and one shall be qualified by having training and experience in the investment of funds as a result of having been principally employed in such occupation for a period of at least ten years. Of the three persons appointed by the state auditor, one shall be the state auditor or his designee, the president of the Massachusetts AFL-CIO or his designee, and one shall be a representative of the Massachusetts Municipal Association. Of the persons appointed by the Speaker of the House and the Senate President, each shall be representatives of any county, city or town contributory retirement systems with assets above $500 million dollars, at the time of the appointment. Each member of the commission shall serve for a term of five years; provided, however, that in making initial appointments, the governor and the state auditor shall each appoint one member for a term of three years and one member for a term of four years. The members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their official duties. Upon the expiration of the term of an appointed member, or the chairman, or a vacancy otherwise created in said positions, the successor for said position shall be appointed in the manner aforesaid, or for the remainder of said term, whichever is applicable. In the event the representative of a public safety union or the designee of the president of the Massachusetts AFL/CIO is a public employee, he or she shall be granted leave, without loss of pay or benefits and without being required to make up lost time, if on duty, for regularly scheduled work hours while in the performance of responsibilities of the commission. The public employee retirement administration commission shall select an executive director, and enter into an employment contract with said director. The provisions of sections nine A, forty-five, forty-six, and forty-six C of chapter thirty, chapter thirty-one, and chapter one hundred and fifty E shall not apply to the executive director or any other employee of the commission."
After remarks, the amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended, in section 2, in item 0526-0100, by adding at the end thereof the following:- "; provided further, that beginning in fiscal year 2014, 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"
The amendment was *rejected*.

Mr. Donnelly, Ms. Jehlen, Mr. Montigny, Ms. Creem and Mr. McGee moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after line item 9110-1636 the following item:--
"xxxx-xxxx 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…….$350,000".
The amendment was *rejected*.

Messrs. Tarr and Hedlund 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, no former state employee holding a position or employment in a state agency may be retained or hired on a part-time, intermittent, or consultant basis by the commonwealth or a state agency for 1 year following removal or resignation from employment of commonwealth or a state agency."
The amendment was *rejected*.

Messrs. Donnelly and Finegold, Ms. O'Connor Ives, Messrs. Rodrigues, Rush and Brownsberger, Ms. Donoghue and Messrs. Timilty, Wolf, Kennedy, Ross, Keenan and McGee moved that the proposed new text be amended by striking out section 92.
The amendment was *rejected*.

Messrs. Rodrigues and Tarr moved that the proposed new text be amended in section 2, in item 7003-0200, by adding 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 in 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. Ross, Ms. Spilka and Messrs. Tarr, Hedlund, Joyce and Knapik moved that the proposed new text be amended in section 2, in item 4800-0038, by inserting after the words "Fragile Beginnings program" the following words:- "; provided further, that the commissioner of the department of children and families shall lead a task force to study ways to reduce the costs and delays of the adoption process in the commonwealth; provided further, that this task force shall consist of two members appointed by the speaker of the house of representatives, two members appointed by the president of the senate, one member appointed by the minority leader of the house of representatives, one member appointed by the minority leader of the senate, and two members appointed by the governor; provided further, that the task force shall consult with the chief justice of the probate and family court, the chief justice of the juvenile court, and the chief justice and trial court administrator of the trial court; and provided further, that the task force shall convene by September 1, 2013 and subsequently file a report with the clerk of the house of representatives and the clerk of the senate no later than March 1, 2014, and this report shall contain recommendations for legislative or regulatory changes to reduce costs of the adoption process and to make adoptions more easily available"
The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended by adding the following new section:-
"SECTION XX. Section 1. Subsection (4 7/8E) of Section 20 of Chapter 32 of the General laws, as appearing in section 33 of chapter 176 of the acts of 2011, is hereby amended by inserting after the word 'board', the fourth time it appears, the following words:- in which he receives said remuneration, financial benefit or consideration of any kind."
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting after section _ the following section:-
"SECTION _. Chapter 6A of the General Laws, as appearing in the 2010 Official Edtion, is hereby amended by inserting after section 16U the following section:-
Section 16V. (a) There shall be within the executive office of health and human services, but not subject to the control of the office, a bureau of program integrity, hereinafter the bureau. The inspector general shall appoint a director of the bureau, who shall serve as an assistant inspector general under the supervision of the inspector general, and shall serve for a term of 4 years. The inspector general may remove the director for cause and designate an interim director until a new director is appointed. The director shall devote full time and attention to the duties of this office.
(b) The director of the bureau may appoint such persons as are necessary to perform the functions of the bureau; provided, however, that section 9A of chapter 30 and chapter 31 shall not apply to any person holding any such appointment. The director may appoint and remove, subject to the approval of the inspector general, such expert, clerical or other assistants as the work of the bureau may require. Employees shall devote their full-time and attention to their duties while employed with the bureau and shall be subject to the rules and regulations established for employees of the office of the inspector general pursuant to section 4 of chapter 12A.
(c) The bureau shall monitor the quality, efficiency and integrity of programs administered by the executive office of health and human services. The bureau shall seek to prevent, detect and correct fraud, waste and abuse in the expenditure of public funds for benefit programs including, but not limited to, MassHealth, Transitional Aid to Families with Dependent Children, Emergency Assistance to Elders, Disabled and Children, the Supplemental Nutrition Assistance Program and other assistance benefits distributed via electronic benefit cards.

(d) In addition to the responsibilities set forth in subsection (c), the bureau shall have the following duties: (i) review current eligibility intake and determination procedures for public benefit programs administered by the executive office of health and human services; (ii) assist in the development of any new intake procedures and regulations for eligibility determination; (iii) monitor whether eligibility regulations are being followed by the administering agency; (iv) assist with the coordination with other state agencies to transmit and collect data on beneficiaries; (v) coordinate with the program integrity division under the department of transitional assistance; (vi) provide training to employees serving under the office of health and human services on methods of intake procedures and beneficiary determination; (vii) automate reporting of indicators of potential fraud cases and (viii) coordinate with other agencies to monitor compliance with work force requirements.
(e) The bureau shall coordinate and consult with the executive office of health and human services on the efforts to verify eligibility for recipients of benefit programs through the sharing of information with other agencies and departments, including but not limited to, the department of revenue, the department of elementary and secondary education, the department of unemployment assistance, the department of industrial accidents, the registry of motor vehicles, the department of criminal justice information services and the department of corrections.
(f) The director may report and refer instances of fraud, waste or abuse of public benefits to the inspector general for investigation pursuant to section 8 of chapter 12A, and the results of such investigation may be referred to the attorney general or state auditor for appropriate action."
After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in item 1100-1201, by inserting, after the word analysis, the following:- "including dynamic analysis".
The amendment was *rejected*.

Messrs. Tarr, Michael O. Moore, Hedlund, Knapik and Ross moved that the proposed new text be amended in section 2, in item 0910-0222, by striking out the figure "$300,000" and inserting in place thereof the following figure:- "$400,000"; and by inserting at the end thereof the following:- ", provided, that efforts shall be increased to identify and report fraud, waste and abuse in programs providing health care and other forms of public assistance".
The amendment was *rejected*.

Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended in section 2, in item 1100-1201, by adding at the end thereof the following:- "; provided further, that not later than April 1, 2014, the office shall develop an analysis of the extent to which state expenditures have, in the current fiscal year and are likely to, in the next five fiscal years, exceed the commonwealth's gross domestic product and the rates of inflation and median household income, and that such analysis be filed with the clerks of the House and senate and the house and senate committees on ways an d means, and shall be conspicuously posted on the internet".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 1599-0026, by striking the text of subsections (a) and (b) thereof.
The amendment was *rejected*.

Mr. Welch and Ms. Donoghue moved that the proposed new text be amended, in section 2, in item 0710-0220, by striking the figure "$300,000" and inserting in place thereof the following figure:- "$862,500".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 1599-3553, by striking the item in its entirety.
The amendment was *rejected*.

Messrs. Tarr and Hedlund moved that the proposed new text be amended by inserting, after section__, the following new section:-
"SECTION__. Section 124 of chapter 165 of the acts of 2012 is hereby amended by striking out the words 'and 4 additional members to be appointed by the governor who shall be knowledgeable in land surveying, law, record keeping, county government or information and technology,' and inserting in place thereof the words and 7 additional members to be appointed by the governor who shall be knowledgeable in land surveying, law, record keeping, county government or information and technology, one of whom shall be recommended by a professional association of attorneys engaged in conveyancing, and one of whom shall be recommended by an organization representing homebuyers or consumers in the commonwealth."
The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended in section 30, by adding after the word "affordable." the following sentence:- "The provisions of chapter 149 sections 26 thru 27F inclusive, chapter 149 section 44A-J inclusive, chapter 149A and any regulations issued thereunder shall apply to any project receiving funds through the program".
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 at the end thereof, the following:- "; provided further that the amount of $50,000 shall be expended to Stone Soul Inc. to implement the state wide Sesquicentennial Emancipation Proclamation Celebration 2013".
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended in section 2, in item 0521-0000, by striking out the figure "$4,880,914" and inserting in place thereof the following figure:- "$5,380,914".
**After remarks, the amendment was adopted.**
Mr. Kennedy moved that the proposed new text be amended in section 2, in item 0521-0001, by striking out the figure "$4,988,076" and inserting in place thereof the following figure:- "$5,278,074".
The amendment was *rejected*.

Mr. Kennedy and Ms. Lovely moved that the proposed new text be amended, in section 2, in item 0540-1000, by striking out the figure "$2,759,881" and inserting in place thereof the following figure:- "$2,834,881".
The amendment was *rejected*.

Messrs. Ross, Hedlund, Knapik and Tarr moved that the proposed new text be amended by inserting the text of Senate document numbered 1823, relative to regulatory reform.
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-six minutes before four o'clock P.M., on motion of Mr. Ross, as follows, to wit *(yeas 4 — nays 34)* **[Yeas and Nays No. 46]**:
YEAS.
Hedlund, Robert L. Ross, Richard J.
Knapik, Michael R. Tarr, Bruce E. − 4.
NAYS.
Barrett, Michael J. Keenan, John F.

rewer, Stephen M. Kenne
y, Thomas
.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, H
rriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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. Timilty, James E.
Jehlen, Patricia D. Welch, James T.
Joyce, Brian A. Wolf, Daniel A. − 34.

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

Mr. Tarr and Ms. Jehlen and Messrs. Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting, after section __, the following new section:-
"SECTION _. 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 17 members: 3 of whom shall be appointed by the speaker of the house; 2 of whom shall be appointed by the house minority leader; 3 of whom shall be appointed by the senate president; 2 of whom shall be appointed by the senate minority leader; 1 of whom shall be appointed by the state auditor; 1 of whom shall be appointed by the state treasurer; and 5 of whom shall be appointed by the governor. The speaker of the house and the senate president shall determine which 2 members of the commission shall serve as co-chairpersons.
The commission shall identify ways to eliminate overlaps and redundancies among state agencies and make such other recommendations as the commission deems appropriate, with the goal of reducing costs to the state and enhancing the quality and accessibility of state services to the public. The commission shall consider merging or consolidating state agencies and programs if such action 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.
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, such as the state of Connecticut's commission on enhancing agency outcomes which reported its findings and recommendations in December of 2010.
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.
Members of the commission shall be named and the commission shall commence 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, 2015. The clerks of the house and senate shall make the report available to the public through the internet."
After remarks, the amendment was *rejected*.

Messrs. Rodrigues, Joyce and Tarr moved that the proposed new text be amended by striking out section 17.
**After remarks, the amendment was adopted.**
Mr. Brownsberger moved that the proposed new text be amended in section 2 by inserting the following item:-
"1599-3557 For initial funding for the Social Innovation Financing Trust Fund established under section 35VV of chapter 10 of the General Laws to hold funds in support of pay for success contracts; provided, that per the legislation, these funds are based on expected future payments that will only be distributed upon achieving performance goals under the pay for success contract; and provided further, that the amount represents initial funding for the efforts underway to enter into pay for success contracts associated with juvenile justice and chronic homelessness ……..……$7,500,000".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2 by inserting after item 1599-3553 the following item:
"xxxx-xxxx For unexpected startup costs of providers holding contracts issued under section 35VV of chapter 10 of the General laws; provided, that eligible costs shall be those incurred by the selected intermediary associated with due diligence and initial establishment of all necessary infrastructure including legal costs, operational and economic modeling and other reasonable expenses associated with the homelessness pay-for-success contract..... $250,000".
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by striking section 36 in its entirety.
After debate, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by striking section 114 in its entirety.
The amendment was *rejected*.

Messrs. Ross, Tarr, Hedlund, Knapik, Joyce and Eldridge moved that the proposed new text be amended by striking out section 118 and inserting in place thereof the following section:-
"SECTION 118. Notwithstanding any general or special law to the contrary, all secretariats, departments, commissions, and agencies required by the legislature to submit reports to any legislative committee or subcommittee shall file their reports by the dates required via electronic means to the chairs of any committees named as recipients as well as with the clerks of the senate and house of representatives; provided, however, that the house and senate clerks shall develop procedures and requirements for secretariats, departments, commissions, and agencies for the preparation of the reports to facilitate their collection and storage and the reports shall be made available to the public on the general court's website. When a legislative commission is established the clerks of the senate and house of representatives shall include on the general court's website the date the commission was established, the members of the commission and the reporting date of the commission."
After remarks, the amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended, in section 2, in item 2100-0012, by adding at the end thereof the following:- "provided further, that $300,000 shall be dedicated to the hiring of gas safety inspectors who shall be authorized to randomly inspect each public utility's piping, equipment, work site, work product, safety guidelines or anything item on said utility's property or control to determine if it meets nationally recognized gas utility company safety and standards and shall provide an annual report to the Commissioners, the Attorney General and the Joint Committee on Telecommunication, Utilities and Energy; and provided further, that the cost of said gas safety inspectors, including associated fringe benefit costs, shall be assessed to gas utility companies under the jurisdictional control of the department"; and by striking out the figures "$8,401,998" and inserting in place thereof the figures "$8,701,998".
**After remarks, the amendment was adopted.**
Mr. Tarr moved that the proposed new text be amended by striking section 97 in its entirety.
The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:-
"Notwithstanding any general or special law to the contrary, any executive branch agency which, in fiscal year 2013, had its

spending reduced by 1 per cent under authority of chapter 29, section 9C of the General Laws; any office or department that does not report to the governor which reduced its spending in fiscal year 2013 by 1 per cent; the office of the state comptroller; the center for health information and analysis; the house of representatives; the state senate; the joint legislative account; the state ethics commission; the office of campaign and political finance; the commission on the status of women; the victim and witness assistance board; the disabled persons protection commission; the Massachusetts cultural council; and Massachusetts commission against discrimination, shall reduce the amount appropriated for fiscal year 2014 by 1.5 per cent, provided that the reduction may be within any item of appropriation."
The amendment was *rejected*.

Messrs. Eldridge and Brownsberger, Ms. O'Connor Ives, Ms. Clark, Messrs. Knapik, Barrett, Michael O. Moore, Downing, Donnelly and Kennedy, Ms. Creem, Mr. Ross, Ms. Flanagan, Mr. Rush, Ms. Spilka, Mr. Joyce, Ms. Candaras, Ms. Donoghue and Messrs. Finegold and 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, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund established in section 2XXX of chapter 29 of the General Laws"; and by striking the figures "$7,000,000" and inserting in place thereof the following figures:- "$9,800,000".
After remarks, the amendment was *rejected*.

Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended by striking section 112 in its entirety and inserting in place thereof the following new section:-
"SECTION 112. Section 155 of chapter 139 of the acts of 2012 is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:- (a) Notwithstanding any general or special law to the contrary, after certifying the amount of consolidated net surplus in the budgetary funds at the close of the preceding fiscal year 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 2013 in the following order to the extent that funds are available: (i) transfer $25,000,000 to the Massachusetts Community Preservation Trust Fund, established by section 9 of chapter 44B of the General Laws; (ii) transfer $10,000,000 to the Tax Reduction Fund, established by section 2I of chapter 29 of the General Laws; (iii) transfer $5,000,000 to the Massachusetts Life Sciences Investment Trust Fund, established by section 6 of chapter 23I of the General Laws; and (iv) transfer the remaining undesignated fund balances from the budgetary funds contributing to the consolidated net surplus to the Commonwealth Stabilization Fund."
The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by inserting after section 37 the following section:-
"SECTION X. Chapter 30 of the General Laws is hereby amended by adding the following section:-
Section 38A. Contracts for road, bridge, water and sewer projects awarded as a result of a proposal or invitation for bids under chapter 7C, section 11C of chapter 25A, section 39M and sections 44A to 44H, inclusive, of chapter 149 shall include a price adjustment clause for each of the following materials: fuel, both diesel and gasoline; asphalt; concrete; and steel. A base price for each material shall be set by the awarding authority or agency and shall be included in the bid documents at the time the project is advertised. The awarding authority or agency shall also identify in the bid documents the price index to be used for each material. The price adjustment clause shall provide for a contract adjustment to be made on a monthly basis when the monthly cost change exceeds plus or minus 5 per cent."
**After remarks, the amendment was adopted.**
Mr. Timilty moved that the proposed new text be amended by adding at the end thereof the following new section:-
"SECTION X. Section 49 of Chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-
Section 49. (a) There shall be within the executive office of administration and finance, but not subject to its control, a public employee retirement administration commission consisting of nine members, three of whom shall be appointed by the governor, three of whom shall be appointed by the state auditor, one of whom shall be appointed by the Speaker of the House, one of whom shall be appointed by the Senate President, and one of whom shall be chosen by the first eight members and who shall be chairman. Of the three persons appointed by the governor, one shall be the governor or his designee, one shall be a representative of a public safety union, and one shall be qualified by having training and experience in the investment of funds as a result of having been principally employed in such occupation for a period of at least ten years. Of the three persons appointed by the state auditor, one shall be the state auditor or his designee, the president of the Massachusetts AFL-CIO or his designee, and one shall be a representative of the Massachusetts Municipal Association. Of the persons appointed by the Speaker of the House and the Senate President, each shall be representatives of any county, city or town contributory retirement systems with assets above $500 million dollars, at the time of the appointment. Each member of the commission shall serve for a term of five years; provided, however, that in making initial appointments, the governor and the state auditor shall each appoint one member for a term of three years and one member for a term of four years. The members shall serve without compensation but shall receive their necessary expenses incurred in the discharge of their official duties. Upon the expiration of the term of an appointed member, or the chairman, or a vacancy otherwise created in said positions, the successor for said position shall be appointed in the manner aforesaid, or for the remainder of said term, whichever is applicable. In the event the representative of a public safety union or the designee of the president of the Massachusetts AFL/CIO is a public employee, he or she shall be granted leave, without loss of pay or benefits and without being required to make up lost time, if on duty, for regularly scheduled work hours while in the performance of responsibilities of the commission. The public employee retirement administration commission shall

select an executive director, and enter into an employment contract with said director. The provisions of sections nine A, forty-five, forty-six, and forty-six C of chapter thirty, chapter thirty-one, and chapter one hundred and fifty E shall not apply to the executive director or any other employee of the commission."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended, in section 2, in item 0540-2100, by striking out the figure "$2,161,481" and inserting in place thereof the following figure:- "$2,194,481".
The amendment was *rejected*.

Mr. Barrett, Ms. Jehlen and Messrs. Joyce and Rodrigues moved that the proposed new text be amended in section 2, in item 1107-2400, by striking out the figure "$609,217" and inserting in place thereof the following figure:- "651,834".
**The amendment was adopted.**
Ms. Clark, Ms. Chandler, Ms. Lovely and Mr. Knapik moved that the proposed new text be amended in section 2, in item 7000-9506, by striking out the figure "$1,929,238" and inserting in place thereof the following figure:- "$2,129,238".
After remarks, the amendment was *rejected*.

Messrs. Tarr, Ross and Knapik moved that the proposed new text be amended in section 2, in item 1100-1201, by striking the words "previous year" and inserting in place thereof the following words:- "previous year, including the specific savings derived from its operations".
After remarks, the amendment was *rejected*.

Messrs. Eldridge, Michael O. Moore and Tarr moved that the bill be amended by inserting, after section ____, the following new section:-
"SECTION__. Section 16 of chapter 194 of the acts of 2011, is hereby amended by inserting after subsection (b), in section 9, the following subsection:-
(c) a prospective applicant shall submit a letter to the commission stating the prospective applicant's interest in locating a gaming establishment in a community prior to entering into discussions with a member of that community's governing body. The commission shall keep a record of the letter which shall be made available to the public. The prospective applicant shall also submit a copy of the letter to the city or town clerk in the community of interest."
The amendment was *rejected*.

Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended in section 112 in line 1538 by striking the figure "$15,000,000" and inserting in place thereof the following figure:-"$10,000,000";
By striking subsection (iii) in its entirety and replacing it with the following:-
"(iii) transfer the remaining undesignated fund balances from the budgetary funds contributing to the consolidated net surplus to the Job Creation Investment Fund.;
By inserting after section _, the following new section:-
"SECTION_. Section 2 of chapter 29 of the General Laws is hereby amended by adding the following new section:-
A Job Credit Investment Fund shall be created to fund the job creation credit program as established under Section 67D of Chapter 62C.";
By inserting after section _, the following new sections:-
"SECTION_. Section 1. Section 67D of Chapter 62C of the General Laws 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*.

Mr. Petruccelli moved that the proposed new text be amended by inserting, after section 145, the following new section:-
"SECTION XX
SECTION 1. Notwithstanding sections 40E to 40J, inclusive, of chapter 7 of the General Laws or any general or special law to the contrary, the commissioner of capital asset management and maintenance, in consultation with the Massachusetts water resources authority, may convey to the Massachusetts port authority that certain parcel of land shown as lot 2 on a plan on file with the division and described in a deed from the Massachusetts port authority to the commonwealth of Massachusetts, acting through its metropolitan district commission, recorded with the Suffolk registry of deeds at book 11738, page 82, subject to and with the benefit of all easements and restrictions of record. The Massachusetts port authority previously conveyed lot 2 to the commonwealth of Massachusetts acting by and through its metropolitan district commission for consideration of $1 by deed recorded with the Suffolk registry of deeds at book 11738, page 82. The Massachusetts port authority shall acquire the property thereon in its present condition.
Section 2. The Massachusetts port authority shall demolish the existing pump station located on the parcel of land that was previously operated by the Massachusetts water resources authority and the Massachusetts water resources authority shall reimburse the Massachusetts port authority for an amount equal to one half the actual costs of said demolition but not to exceed fifty thousand dollars.

SECTION 3. Following the demolition of the existing pump station the Massachusetts port authority shall include the parcel described in section 1 as part of a marsh overlook amenity within the Greenway Connector bike/pedestrian trail.
SECTION 4. The consideration for the conveyance pursuant to section 1 shall be $1. The Massachusetts port authority shall be responsible for all costs and expenses of the transaction authorized by this act including, without limitation, any engineering, survey, title examination, recording fees and deed preparation, and all costs, liabilities and expenses of any nature and kind for its ownership.
SECTION 5. The parcel shall be conveyed by deed without warranties or representations by the commonwealth other than quitclaim covenants of title."
**After remarks, the amendment was adopted.**
Mr. Rosenberg in the Chair. Mr. Kennedy moved that the proposed new text be amended in section 5 in (b) at the end of the first sentence by striking the number "3" and inserting in its place the number "2"; by inserting after the word "representatives" the following; "and the Chairman of the Massachusetts Historical Commission or his designee";
In (c) at the end of the third sentence by inserting after the word "house" the following:- "in consultation with the Massachusetts Historical Commission"; and
In (e) at the end of the first sentence by inserting after the word "building" the following:- "in consultation with the Massachusetts Historical Commission".
The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended by inserting after Section 37 the following sections:-
"SECTION XX. 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 replacing it as follows:
(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 member whose annual regular compensation for one or more positions is less than five thousand dollars. The provisions of section 3(7)(d) of this chapter shall not apply in any circumstance where the provisions of this paragraph apply. The provisions of this paragraph shall not be deemed to prohibit or limit the minimum service requirement to be eligible for a benefit established under section 6 of this chapter.
SECTION XX. The provisions of Section XX shall take effect on the date of passage of this act and shall only be applicable to any person who files for superannuation retirement under the provisions of Section 5, Chapter 32 of the General laws after said date."
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended by inserting, after section___, the following new section:
"SECTION __. Chapter 30B of the General Laws is hereby amended, as follows:- in Sections 3 and 17 (a) thereof, replacing the words 'five thousand' with 'ten thousand'; in Sections 4 (a), 4 (c), and 15 (f) thereof, replacing '$5,000' with "$10,000"; in Section 5 (c), subsection (5), and Section 16 (c), subsections (1) and (2)."
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 Oxford Tercentennial celebration".
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 $20,000 shall be expended for the planning of the Southbridge Bicentennial celebration".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended by inserting, after section ___, the following new section:-
"SECTION __. Section 20A of chapter 29 of the general laws is hereby repealed."
The amendment was *rejected*.

Ms. Candaras, Ms. Spilka, Messrs. Wolf, Donnelly and Eldridge and Ms. Lovely moved that the proposed new text be amended in section 2, in item 0950-0000, by striking out the figure "$71,500" and inserting in place thereof the following figure "$140,000".
After remarks, the amendment was *rejected*.

Messrs. Tarr, Hedlund and Rodrigues moved that the proposed new text be amended inserting after section___, the following new section:-

"SECTION XX: Notwithstanding any general or special law to the contrary there is hereby established a special commission on coastal erosion defense, which shall investigate and document the levels and impacts of coastal erosion in the commonwealth, and develop a strategy and recommendations to reduce, minimize or eliminate the magnitude and frequency of coastal erosion and its adverse impacts on property, infrastructure, public safety and beaches and dunes.
In the performance of its mission, said commission shall make a reasonable assessment of coastal erosion, and a corresponding appraisal of the financial amount of damage to property, infrastructure and beach and dune resources which has been sustained from 1978 to the present, and a reasonable estimate of the value of damage likely to occur in the next ten years under current conditions, regulations and laws.
Based on such assessments, said commission shall evaluate all current rules, regulations and laws governing the materials, methodologies and means which may be used to guard against and reduce or eliminate the impacts of coastal erosion, and shall examine any possible changes, expansions, reductions and laws which would improve the ability of municipalities and private property owners to guard against or reduce or eliminate the impacts of coastal erosion without undue adverse environmental impacts. The commission shall focus particularly on increasing the availability of cost-effective measures to protect against coastal erosion.
The commission shall consist of the secretary of energy and environmental affairs or a designee, the director of the Massachusetts office of coastal zone management, the commissioner of the department of conservation and recreation, the commissioner of the department of environmental protection or a designee, three elected municipal officials from coastal communities appointed by the governor, two conservation agents from coastal communities appointed by the governor, a representative of a membership based environmental organization appointed by the governor, a representative of coastal property owners in the commonwealth appointed by the governor, a coastal geologist with relevant experience and knowledge pertaining to coastal erosion appointed by the governor, a civil engineer with relevant experience and knowledge pertaining to coastal erosion appointed by the governor, and a representative of the citizens of the commonwealth appointed by the governor.
The executive office of energy and environmental affairs and its subdivisions shall provide technical support to the commission. The commission shall file its report, together with recommendations for changes to improve protection against coastal erosion with the clerks of the house and senate not later than eight months following the passage of this act."
**After remarks, the amendment was adopted.**
Messrs. Tarr and Hedlund, Ms. Lovely and Mr. Rodrigues moved that the proposed new text be amended by inserting, after section __, the following new sections:-
"SECTION __. Section 6 of chapter 44B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 6, the word 'and'.
SECTION ___. Section 6 of chapter 44B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word 'housing', in line 7, the following words:- 'and in coastal communities that adopt the provisions of this act, not more than 20 per cent for the preservation of public infrastructure through beach nourishment, dune restoration, and seawall maintenance and reconstruction'."
**The amendment was adopted.**
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 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. Tarr moved that the proposed new text be amended by inserting, after section __, the following new section:-
"SECTION__. On or before December 31, 2013, and annually thereafter, the executive office of energy and environment affairs shall undertake, in consultation with the department of energy resources and the energy efficiency advisory council, using third

party experts, a study examining the energy efficiency, demand response, and renewable energy programs in the commonwealth, including public and private funding sources. The study shall include an audit of all existing programs under the authority of the office during the previous calendar year, not limited to those established pursuant to chapter 169 of the acts of 2008, to identify (1) an inventory listing of each specific program and its goals and objectives, categorized by sector; (2) the total annual funding for each program , itemized by funding source such as ratepayers, taxpayers, and private sources; (3) the total annual expenditures for each program, itemized by major expense category, including administrative expenses and program grants, rebates, and incentives; (4) a specific list of qualitative and quantitative benefits of each program, including number of participants, energy savings, resource savings, and non-energy benefits; (5) and description of the metric(s) used to evaluate the performance of each specific program, including comparison to performance during previous years. The study shall be timely filed with the clerks of the house and senate and the joint committee of telecommunications, utilities, and energy."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-two minutes before five o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 33)* **[Yeas and Nays No. 47]**:
YEAS.
Hedlund, Robert L. Tarr, Bruce E.
Knapik, Michael R. Timilty, James E. − 5.
Ross, Richard J.
NAYS.
Barrett, Michael J. Keenan, John F.
Brewer, Ste
hen M. Kennedy, Thomas P.

rownsber
er, William N. Lovely, Joan B.
Candaras, Gale D. McGe
, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, M
chael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Jehlen, Patricia D. Wolf, Daniel A. − 33.
Joyce, Brian A.

The yeas and nays having been completed at seventeen minutes before five 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 __. 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*.

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. Keenan moved that the proposed new text be amended in section 2, in item 2200-0100, by adding the following: "; provided further that not less than $75,000 shall be expended for the testing of the Cochato River as a water source for the Tri Town water district"; and in said item by striking out the figures "27,872,460" and inserting in place thereof the figures "27,947,460".
The amendment was *rejected*.

Mr. Rodrigues and Ms. O'Connor Ives moved that the proposed new text be amended by inserting after section 24 the following section:-
"SECTION 24A. Section 22 of chapter 20 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-
Non-development covenants for terms of limited duration shall be exempt from any regulations that require an appraisal, an environmental site assessment and a survey. The department may require other expedited requirements appropriate for the duration of the non-development covenant."
**After remarks, the amendment was adopted.**
Messrs. Donnelly and Brownsberger, Ms. Donoghue, Messrs. Eldridge and Barrett, Ms. Candaras, Messrs. Knapik and Welch and Ms. Clark moved that the proposed new text be amended in section 2, in item 2260-8870, by striking out the figure "$13,511,481" and inserting in place thereof the following figure:- "$14,199,453".
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 2320-0100, by striking the figure "500,556" and inserting in place thereof the following figure:- "520,556".
**The amendment was adopted.**
Mr. Pacheco moved that the proposed new text be amended in section 2, in item 2511-0100, by inserting at the end thereof the following new text:- "provided further, that not less than $200,000 shall be available to supplement existing larvicide control projects in Plymouth and Bristol counties".
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before five o'clock P.M., on motion of Mr. Pacheco, as follows, to wit *(yeas 10 — nays 28)* **[Yeas and Nays No. 48]**:
YEAS.
Candaras, Gale D. Pacheco, Marc R.
Donnelly, Kenneth J. Rodrigues, Michael J.
Kennedy, Thomas P. Ross, Richard J.
Lovely, Joan B. Rush, Michael F.
Montigny, Mark C. Timilty, James E. − 10.
NAYS.
Barrett, Michael J. Jehlen, Patricia D.
Brewer, Stephen M. Joyce, Brian A.
Brownsberger, William N. Keenan, John F.
Chandler, Harriette L. K

pik, Micha
l R.
Chang-Diaz, Sonia McGee,
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atherine M. Moore, Michael O.
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m, Cynthia Stone Moore, Richard T.

DiDomenico, Sal N. O'Connor Ives, Kathleen
Donoghue, Eileen M. Petruccelli, Anthony
Downing, Benjamin B. Rosenberg, Stanley C.
Eldridge, James B. Spilka, Karen E.
Finegold, Barry R. Tarr, Bruce E.
Flanagan, Jennifer L. Welch, James T.
Hedlund, Robert L. Wolf, Daniel A. − 28.

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

Ms. Donoghue moved that the proposed new text be amended in section 2, in item 2810-0100, by adding, after the words "nonpublic entities from this item" the following words:- "; provided further that not less than $500,000 shall be expended for the rehabilitation and refurbishment of the Alumni Field in Lowell, Massachusetts;".
The amendment was *rejected*.

Messrs. Eldridge and Michael O. Moore moved that the proposed new text be amended in section 2, in item 2200-0100, by striking out the figure "$27,872,469" and inserting in place thereof the following figure:- "$28,104,269".
After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 7100-0200, by inserting after the word "campuses " the following words:- "provided that funds shall be expended to include research performed at the Large Pelagics Research Center at Hodgkins Cove on giant Atlantic Bluefin Tuna and other species".
After remarks, the amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 2330-0100, by striking the figure "4,759,039" and inserting in place thereof the following figure:- "4,859,377"
The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 2511-0100, by striking the out figure "4,836,426" and inserting in place thereof the following figure:- "5,116,426".
The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended in section 2, in item 2300-0101, by adding at the end thereof the following:- "; provided further that $30,000 shall be provided to the Crystal Lake Conservancy for the purpose of environmental sampling, testing, and monitoring of the waters of Crystal Lake in Newton".
The amendment was *rejected*.

Mr. Timilty moved that the proposed new text be amended by adding at the end thereof the following new section:- "SECTION X. Section 1B of Chapter 130 of the MGL is hereby amended by striking the words 'qualified in the field of marine fisheries by training and experience' and inserting in place thereof the following: 'no more than a majority of whom shall be individuals holding a commercial license or whom have a economic interest in the harvesting or sale of fish. And provided further that the remainder of the members of the advisory commission shall include individuals with backgrounds including, but not limited to, knowledge of marine science, marine conservation, recreational fishing, and the marine environment."
After remarks, the amendment was *rejected*.

Messrs. Downing, Rosenberg, Tarr and Knapik moved that the proposed new text be amended in section 2, in item 2511-0100, by striking out the words "and provided further, that funds may be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts" and inserting in place thereof the following words:- "and provided further, that no less than $200,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts".
The amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting at the end thereof the following: "provided further, that not less than $34,500 be provided to the Laurel Lake preservation association, inc. for zebra mussel control purposes at Laurel Lake in the towns of Lee and Lenox".
The amendment was *rejected*.

Messrs. Rush, Eldridge and McGee moved that the proposed new text be amended in section 2, in item 2810-0100, by striking the figure "$41,044,957" and inserting in place thereof the figure:- "$41,701,239".
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 2800-0501, by inserting the following:- "and provided further that funds may be expended to the Harry McDonough Sailing Center, Inc. to provide summer sailing programming in the city of Boston."; and in said item, by striking out the figures "12,651,578" and inserting in place thereof the

figures "12,671,578".
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 2810-0100, in line 8, by inserting after "development;" the following:- "Provided that not less than $500,000 shall be expended for the continued creation and maintenance of a linked trail system for local and state parks along the Back River in the towns of Weymouth and Hingham, to complete the project in chapter 149 of the acts of 2004".
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___. The secretary of environmental affairs shall conduct an analysis of instituting the bottle bill. The study shall include, but not be limited to: (i) financial benefit of the bottle bill, (ii) analysis of other states that have instituted the bottle bill, (iii) assessing current littering laws. A report on the result of the study shall be filed not later than October 1, 2014 with the governor, the clerks of the house of representatives and the senate, and the house and senate committees on ways and means."
The amendment was *rejected*.

Messrs. Hedlund and Tarr and Ms. Clark moved that the bill be amended by inserting after section ___, the following new section:-
"SECTION ___. There shall be established and set upon the books of the commonwealth a fund to be known as the Coastal and Shorefront Infrastructure Fund ('CASIF'). This account shall initially be funded with a total of $10 million.
(a) The Coastal and Shorefront Infrastructure Fund.
(i) The Executive Office of Environmental Affairs shall apply monies in CASIF for the purpose of providing financial assistance to local governmental units and other eligible borrowers as provided herein, as beneficiaries of the fund, to finance or refinance costs of eligible coastal and shorefront infrastructure projects including but not limited to seawalls, revetments, 'sea surge' control and other means of flood control.
(ii) The Executive Office of Environmental Affairs shall receive hold, administer and disburse without further appropriation or allotment by the Commonwealth in and from the Coastal and Shorefront Infrastructure Fund exclusively for the benefit of the beneficiaries thereof the following monies: (A) amounts appropriated by the Massachusetts Legislature for purposes of the fund; (B) proceeds allocated by the Federal Emergency Management Agency to the Commonwealth for coastal flood prevention, shorefront protection, disaster assistance, or purposes consistent with the CASIF; (C) proceeds allocated by the Water Pollution Abatement Trust consistent with its mission to protect drinking water supplies and with the purposes of the CASIF; (D) applicable proceeds from the Department of Conservation and Recreation consistent with the purposes of the CASIF; (E) applicable proceeds from the Seaport Council consistent with the purposed of the CASIF; (F) investment earnings on monies in the fund; and (G) any other amounts required to be credited to the fund by any law or by any resolution, loan agreement or trust agreement.
(iii) Without limiting the generality of the foregoing, the Executive Office of Environmental Affairs or its applicable designee within the Department of Conservation and Recreation ('Department'), may apply and disburse monies and revenues of the Coastal and Shorefront Infrastructure Fund: (A) to make, and enter into binding commitments to make, loans and other forms of financial assistance authorized by the Department to local governmental units and other eligible borrowers for the purpose of financing or refinancing costs of flood control and coastal protection projects or portions thereof which have been approved by the Department, including approval of the costs of such projects or portion thereof eligible to receive financial assistance as provided in this section, and completed, as determined by the Department, after the promulgation date of the Department's regulations implementing its powers under this section and to provide for all or any part of the debt service costs on loans and other forms of financial assistance made during the construction of such projects and for such period thereafter as the Department shall determine; (B) to provide reserves for or otherwise secure bonds and to provide insurance and letters or lines of credit or other credit enhancement which it deems reasonable and appropriate for bonds; (C) to provide, and enter into binding commitments to provide, a subsidy for, or to otherwise assist local governmental units and other eligible borrowers in the payment of, debt service costs on loans and other forms of financial assistance made pursuant to this section and to provide any other subsidization authorized by the Department in addition to the subsidy or other assistance authorized by this section; (D) to provide reserves for, or to otherwise secure, amounts payable by local governmental units and other eligible borrowers on, loans and other forms of financial assistance made by the Department pursuant to this section; and (E) to provide payment from any available source for reasonable and necessary professional and financial services incident to the conduct of the programs of EOEA, including costs of issuance of its bonds.
(iv) The Coastal and Shorefront Infrastructure Fund shall initially be funded with five million dollars appropriated by the Legislature.
(v) The Department of Conservation and recreation shall establish standards, guidelines, criteria and other rules and regulations for the administration and implementation of their powers under this section including, without limitation, a priority system and priority list for the approval of projects, the determination of eligible borrowers and eligible costs of projects and the terms and conditions of loans and/or grants by the Department. As an aid in determining the priority list for the CASIF the Department shall utilize the Massachusetts Coastal Infrastructure Inventory and Assessment Report completed by the Commonwealth's Department of Conservation and Recreation in October of 2009, and any update to said Report. Other factors which the Department shall consider when prioritizing loans and or grants through the CASIF include:
(A) affirmative steps taken by local communities to identify future infrastructure needs as sea level rises.

(B) applicable data from FEMA, or the National Flood Insurance Program demonstrating areas in the Commonwealth that are subject to repetitive property damage and are therefore a priority for coastal and shorefront infrastructure projects.
(C) demonstrated flood prevention efforts and financial contributions already made by the applicant.
(vi) Issuing contracts for the CASIF shall be issued through EOEA or through its designee, the Division of Waterways within the Department of Conservation and Recreation, which currently administers grants and loans under Ch. 91 with the Rivers and Harbors Program.
(vii) EOEA or the Department shall be permitted to loan monies for the CASIF for eligible projects at interest rates no greater than 2%.
(viii) EOEA or the Department are also expressly permitted to provide grants to communities from said Coastal and Shorefront Infrastructure Fund. Grants from said CASIF shall require matching funds from the applicant community. To demonstrate a local commitment for receiving a Coastal and Shorefront infrastructure improvement grant an applicant/community must appropriate matching funds equal to 50% of the CASIF grant. Matching funds under this section shall be defined to be expenditures from communities commencing in July of 2010 to present day for coastal and shorefront infrastructure projects."
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 2330-0100, in line 9, by inserting after "fisheries;" the following:- "Provided further that $100,000 shall be expended for the protection and maintenance of the Herring Run, located in the town of Weymouth"; and in said item by striking out the figures "4,759,039" and inserting in place thereof the figures "4,809,039".
The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 2300-0101, by inserting after the word "entities;" the following:- "Including Whitman's Pond in Weymouth, to which $100,000 shall go towards creating a long term plan for the removal of hostile agriculture, with the remainder going towards operational costs, and pond maintenance"; and in by striking out the figure "494,488" and inserting in place thereof the figures "594,488".
The amendment was *rejected*.

Messrs. Barrett and Pacheco moved that the proposed new text be amended by inserting, after section ___, the following new section: -
"SECTION ___. The Commissioner of Revenue, in consultation with the Commissioner of Energy Resources, shall file a report, not later than December 1, 2013, regarding any statutory, regulatory and administrative changes, arrangements and calculations that may be required in the event the Commonwealth's taxation of sales of gasoline is broadened to include taxation of sales of all carbon-based fuels. The report shall be filed with the joint committee on revenue, the joint committee on environment, natural resources and agriculture, and the senate and house committees on ways and means."
**After remarks, the amendment was adopted.**
Ms. Clark 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 no less than $75,000 shall be expended for the maintenance and improvement of the Felllsmere Pond Reservoir in the City of Malden".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, in item 2330-0100, by adding the following: "; provided further, that $75,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the Department of Marine Fisheries and the counties".
The amendment was *rejected*.

Messrs. Barrett, Brownsberger and Eldridge moved that the proposed new text be amended in section 2, in item 2200-0107, by striking out the figure "$375,000" and inserting in place thereof the following figure:- "$1,459,987".
The amendment was *rejected*.

Mr. Wolf, Ms. Creem and Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 7100-0200, by adding the following: "and provided further, not less than $375,000 be allocated to Silent Spring Institute to protect healthy drinking water and any and all findings shall be reported to the Cape Cod Commission to inform the Barnstable County Regional Wastewater Management Plan and the county shall incorporate these findings in their Regional Wastewater Management Plan".
The amendment was *rejected*.

Ms. Creem, Messrs. Barrett and Brownsberger and Ms. Spilka 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 $350,000 shall be expended for the purposes of aquatic invasive species control"; and in said item, by striking out the figures:- "$41,044,957" and inserting in place thereof the figures "$41,394,957".
The amendment was *rejected*.

Messrs. Knapik, Rodrigues, Michael O. Moore and Timilty moved that the proposed new text be amended by inserting, after section 144, the following new section:-

"SECTION XX. Notwithstanding any general or special law to the contrary, the Massachusetts clean energy center shall provide not less than $100,000 for communities to conduct site assessments of retiring coal-fired electric generation power plants located therein. The study shall include, but not be limited to, examining the potential land use, redevelopment options and remediation of the site."

**The amendment was adopted.**

Ms. Creem, Messrs. Rush, Keenan, Ross, Barrett, Brownsberger, Donnelly, Eldridge, Hedlund, Wolf, Pacheco and Joyce, Ms. Chang-Diaz, Ms. Lovely and Messrs. DiDomenico and McGee moved that the proposed new text be amended by inserting the text of Senate document numbered 1825, relative to updating the bottle bill.

**The amendment was adopted.**

Ms. Jehlen 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 $500,000 shall be expended for the purpose of finalizing the designs and obtaining permits necessary for implementation of the Mystic River Master Plan"; and in said item, by striking the figure "$41,044,957" and inserting in the place thereof the figure:- "$41,544,957".

The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2800-0501, by adding the following words:- "provided further, that no less than $50,000 shall be expended for the cleanup of Pilayella algae on the Nahant Beach Reservation and Long Beach in the town of Nahant, and on King's Beach in the city of Lynn".

Mr. Keenan moved that the pending amendment (McGee) be amended by inserting after the word "city of Lynn." the following: - "provided further, that no less than $25,000 shall be expended for the cleanup of Pilayella algae on Quincy Bay".

The further amendment (Keenan) was rejected.

The pending amendment (McGee) was then rejected.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2310-0200, by adding at the following words:- "provided further, that $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*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 2260-8870, by adding the following words:- "; 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 2200-0100, by adding the following: "Provided further, that no less than $92,000 shall be expended for environmental damage mitigation in the town of Marblehead and no less than $50,000 shall be expended for environmental damage mitigation in the town of Swampscott".

The amendment was *rejected*.

Messrs. Richard T. Moore and McGee and Ms. Lovely moved that the proposed new text be amended in section 2 by inserting the following new item:-

"xxxx-xxxx For the continued support of the National Heritage Areas within the commonwealth, 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 pursuit or maintenance of federal grants.....$500,000".

The amendment was *rejected*.

Messrs. Wolf, Brownsberger, Eldridge, Kennedy and Michael O. Moore moved that the proposed new text be amended in section 2, in item 2810-0100, by striking the number "$41,044,957" and inserting in place thereof the figure "$43,899,928"; in item 2800-0501 by striking the number "$12,651,578" and inserting in place thereof the figure "$13,595,578"; in item 2820-0101 by striking the number "$1,438,041" and inserting in place thereof the figure "$1,562,997"; and in item 2800-0100 by striking the number "$4,273,060" and inserting in place thereof the figure "$4,473,480".

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following new section:- "SECTION_. The executive office of labor and workforce development, in consultation with the department of veterans' services, shall conduct an examination of outreach programs and initiatives relative to employment services to veterans in the commonwealth. Said examination shall include, but not be limited to, an analysis of the number of veterans residing in each Massachusetts community; the number of veterans actively seeking employment services in each community; the number of veterans in each community currently unemployed or under-employed, and the number and geographic location of Local Veteran Employment Representatives assigned to career centers or other employment outreach locations throughout Massachusetts from January 1, 2008 through the present date, including any time when a local veteran employment representative position was left vacant or unfilled pending hiring. The examination shall include an assessment of staffing levels, funding levels, and the outreach efforts performed by Local Veteran Employment Representatives and any recommendations as to geographic locations that are underserved, underrepresented, or otherwise in need of greater veteran outreach efforts. Said office shall report the results of the examination, together with legislative recommendations, including but not limited to, those necessary to ensure proper veteran access to employment services and any legislative recommendations shall be filed electronically to the clerks of the house of

representatives and the senate, the joint committee on labor and workforce development, and the joint committee on veterans affairs on or before October 31, 2013."
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7004-0099, by inserting, at the end thereof the following:- "provided further, that not less than $50,000 shall be expended for the South Worcester Neighborhood Improvement Corporation".
The amendment was *rejected*.

Messrs. Michael O. Moore, Rodrigues, Welch and Knapik moved that the proposed new text be amended by inserting after section 71 the following 2 sections:-
"SECTION 71A. Subsection (b) of section 184D of chapter 94 of the General Laws, as appearing in section 1 of chapter 138 of the acts of 2012, is hereby amended by striking out the third and fourth sentences and inserting in place thereof the following 3 sentences:- Notwithstanding the method for determining the amount of civil fines under section 29A of chapter 98, a civil citation may be issued for $200 for each violation, up to a maximum of $5,000 per inspection, for a food store or a food department utilizing a consumer price scanner system. Notwithstanding the method for determining the amount of civil fines pursuant to said section 29A of said chapter 98, a civil citation may be issued for $100 per violation, up to a maximum of $2,500 per inspection, for a food store or food department utilizing an individual item pricing system. For a food store or a food department utilizing a consumer price scanner system, if an item is advertised either in a food store, food department or in a circular as on sale or discounted because of a loyalty card price and the item registers at a higher price at the checkout counter than indicated by a sale or loyalty card price, a civil citation shall be issued for $300 for each violation, up to a maximum of $5,000 per inspection.
SECTION 71B. Subsection (d) of section 184E of said chapter 94, as so appearing, is hereby amended by striking out the fourth sentence and inserting in place thereof the following 2 sentences:- A food store or food department with more than 5,000 square feet but less than 20,000 square feet shall have at least 1 fully operational consumer price scanner capable of producing an individual item pricing tag, located at the front of the food store or food department. A food store or food department with more than 20,000 square feet shall have at least 2 fully operational consumer price scanners capable of producing an individual item pricing tag, with at least 1 located at the front of the food store or food department."
**After remarks, the amendment was adopted.**
Mr. Tarr moved that the proposed new text be amended by inserting, after section __, the following new section:-
"SECTION _. Subsection (c) of section 19 of chapter 25 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 50, after the word 'implementation' the following:- Any licensed Massachusetts independent contractor who meets the insurance, training, and certification requirements established by the program shall be able to independently contract with program participants, at a mutually agreed fair-market price, for the installation of program-approved measures, and offer all program incentives, including rebates and financing."
The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting the text of Senate document numbered 1828, relative to protecting small business investments.
The amendment was *rejected*.

Mr. Joyce and Ms. Chang-Diaz 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*.

Messrs. Petruccelli, DiDomenico, Donnelly and Wolf moved that the proposed new text be amended in section 2, in item 7004-0101, by adding at the end thereof the following: "provided, further, that not more than $90,406,700, less the cost of associated interdepartmental service agreements or programmatic costs, shall be expended to establish a single contract per service provider, which shall include all contracted and supportive program expenses, for the entirety of fiscal year 2014".
The amendment was *rejected*.

Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended by inserting, after section __, the following new section:-
"SECTION__. Section 91 of chapter 238 of the acts of 2012, as amended by section 19 of chapter 3 of the acts of 2013, is hereby further amended by adding the following sentence:- The commission shall convene its initial meeting not later than July 2, 2013."
After remarks, the amendment was *rejected*.

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*.

Mr. Keenan moved that the proposed new text be amended in section 2, in item 7002-0021, by adding at the end thereof the following: "provided further, that not less than seven hundred and thirty thousand dollars shall be expended for the purpose of installing sound barriers along the southbound side of Route 3 between Gardner Street and Route 3 in the town of Rockland".
The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 2, in item 7002-0021, by adding at the end thereof the following:- "provided further, that not less than one hundred thousand dollars shall be expended for the installation of a salt shed on Market Street in the town of Rockland".
The amendment was *rejected*.

Messrs. Donnelly, Eldridge, Ross and Finegold, Ms. O'Connor Ives and Messrs. Keenan, Michael O. Moore and Rodrigues moved that the proposed new text be amended in section 2, in item 7004-9005, by striking the figure "$62,400,000" and replacing it with the following figure:- "$64,500,000".
After remarks, the amendment was *rejected*.

Mr. Ross 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 words:- "; provided further, that no less than $75,000 shall be expended for a child safety grant in the town of North Attleboro".
The amendment was *rejected*.

Messrs. Pacheco, Knapik and Rodrigues moved that the proposed new text be amended in section 2, in item XXXX-XXXX, "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 will be used to support the eligible organization's lending and technical assistance activities …… $200,000".
The amendment was *rejected*.

Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section 92 the following section:-
"SECTION 92A. Section 17 of chapter 176Q of the General Laws, inserted by section 215 of chapter 224 of the acts of 2012, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:-
(b) Employers with 11 or more full-time equivalent employees shall be required to notify all employees, in a manner and form prescribed by the connector, of the employer's compliance with subsection (a) and the opportunity for eligible employees to enroll in the employer's sponsored health insurance plan or the employer's chapter 151F-compliant cafeteria plan.".
**After remarks, the amendment was adopted.**
Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7007-0150, by adding at the end thereof the following:- "; provided that $500,000 be expended on the Jackson-Appleton-Middlesex Urban and Revitalization Development Project"; and in said item, by striking out the figure "$850,000" and inserting in place thereof the figure "$1,350,000".
The amendment was *rejected*.

Ms. Donoghue, Ms. Lovely, Ms. O'Connor Ives and Messrs. Knapik, Downing and Eldridge 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".
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before six o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 37 — nays 1)* **[Yeas and Nays No. 49]**:
YEAS.

Barrett, Michael J. Knapik, Michael R.
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.
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. Petruccelli, Anthony
Donnelly, Kenneth J. Rodrigues, Michael J.
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Ross, Richard J.
Eldridge, James B. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 37.
Kennedy,
Thomas P.
NAYS.
Hedlund, Robert L. − 1.

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

Ms. Donoghue and Messrs. Tarr, Knapik, Eldridge and McGee moved that the proposed new text be amended in section 30, by inserting after the word "instrumentalities" the following words:- ", including, but not limited to, instrumentalities acting on behalf of state-designated cultural districts, as established by section 58A of chapter 10 of the General Laws,".
The amendment was *rejected*.

Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7004-0102, by adding at the end thereof the following: "provided that $40,000 be expended for support staff members in the Basic Needs Program at the Friendly House in Worcester".
The amendment was *rejected*.

Mr. Petruccelli moved that the proposed new text be amended in section 84 by striking, in section 84, in line 1156, the words "the units were vacant as of November 1, 2012" and inserting in place thereof: -- "the department has received written confirmation from the housing authority that those units are obsolete and inappropriate to house low income families serviced by the housing authority" ; and by inserting, in said section, line 1174, after the words "shall be", the following:-- "used by the housing authority to fund capital improvements the housing authority determines are necessary and appropriate at existing state funded housing developments that serve households that would have been eligible for occupancy of the units that had been sited on the property, and if such use by the housing authority is impracticable, then such proceeds shall be".
The amendment was *rejected*.

Messrs. Knapik, Tarr and Ross moved that the proposed new text be amended by inserting, after section 144, the following new section:-
"SECTION XX. There shall be a special commission to conduct an investigation and study of the activities and efficacy of the adjudication of unemployment insurance claims by the department of unemployment assistance under the executive office of labor and workforce development. The commission shall consist of 11 members: 2 of whom shall be appointed by the state auditor, both of whom shall have experience with the adjudication of unemployment disputes, and 1 of whom shall serve as chair; 2 of whom shall be members of the senate, 1 of whom shall be appointed by the minority leader; 2 of whom shall be members of the house of representatives, 1 of whom shall be appointed by the minority leader; the director of the department of unemployment assistance, or a designee; the president of the Massachusetts taxpayer's foundation, or a designee; the executive vice-president of the AFL-CIO, or a designee; the executive vice-president of Associated Industries of Massachusetts, or a designee; and the executive director of the Massachusetts Municipal Association, or a designee.
The study shall include, but not be limited to, an analysis of: (1) the number of claims received by the department quarterly since January 1, 2008 and the resulting status of all claims, including any information pertinent to the description of the status of said claims, including, but not limited to (i) the results of all initial determinations of claims, (ii) the results of any appeals resulting from said initial determination, (iii) the number of rulings reversed through the appeals and review process, (iv) the number of claims arising from paragraphs (1) and (2) of subsection (e) of section 25 of chapter 151A of the General Laws, and (v) the number of claims settled in favor of the claimant and in favor of the employer; (2) the average length of time of the appeals and review process of a claim from initial determination to final disposition; (3) the procedures through which the department hires and trains new employees to implement sections 39 to 41, inclusive, of said chapter 151A, including a determination as to

whether or not employment procedures have been followed under section 9K of chapter 23 of the General Laws.
The study shall also include recommendations relative to: (1) procedures through which the department may produce a quarterly report, to be posted on the department's website, of the number of active claims and the status of said claims; (2) procedures through which any current backlog of cases may be fairly and efficiently resolved and avoided in future department proceedings; (3) procedures through which oversight and quality control principles may be implemented to ensure the continuing prompt, equitable and transparent application of current law by the commissioner and the board of review; (4) a complete review of current statute and regulations relative to the implementation of said chapter 151A and any recommendations as to possible legislative reform and streamlined procedures, including, but not limited to, recommendations and procedures for the uniform and effective implementation of said section 25 of said chapter 151A.
The commission may request from all state agencies such information and assistance as the commission may require. The commission shall report the results of its investigation and study, together with drafts of legislation, if any, necessary to carry its recommendations into effect, by filing the report with the clerks of the senate and house of representatives, who shall forward the report to the joint committee on public health and the house and senate committees on ways and means not later than July 1, 2014."
The amendment was *rejected*.

Mr. Eldridge moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 7004-9316 the following item:-
"XXXX-XXXX For the Individual Development Account, or IDA, program; provided, that participants for the purposes of this pilot program shall be any individual or family who is at or below 80 per cent of the area median income, as defined by the United States Department of Housing and Urban Development, in the community in which they live, as defined by said department, for more than 3 years; provided further, that funds shall be awarded to community-based organizations to establish local IDA programs; provided further, that funds may be used for administrative costs to operate an IDA program for financial literacy and asset-specific training and as a match for program participant savings for qualified acquisition costs with respect to a qualified principal residence for a qualified first-time homebuyer, as defined by said department; provided further, that said department may determine other qualified match uses consistent with the guidelines established in federal IDA guidelines pursuant to Public Law 105-285, 42 USC 604; and provided further, that funds may be used to secure federal asset building program funds …… $250,000".
After remarks, 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 adding at the end thereof the following:- "; 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 "$600,000" and inserting in place thereof the following figure:- $700,000".
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 at the end thereof the following:- "; provided that no less than $51,975 shall be expended for the 247 Pine Street Homeless Services Program, formerly known as Springfield Bilingual Veteran Outreach Center for the operation of a Transitional Housing Unit, and, that no less than $75,000 shall be expended for Transition House in Springfield".
The amendment was *rejected*.

Ms. Spilka, Messrs. Rosenberg and Rodrigues, Ms. Clark, Mr. DiDomenico, Ms. Candaras, Ms. Donoghue and Mr. Eldridge 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
Manufacturing Fund…….100%".
**After remarks, the amendment was adopted.**
Messrs. Welch, Finegold and Knapik moved that the proposed new text be amended by inserting after section 139, the following new section:-
"SECTION 139A. There shall be a special commission to study the economic impact of the illegal tobacco market in the commonwealth which shall consist of: the commissioner of revenue or a designee, who shall serve as chair; the state treasurer or a designee; 1 member of the house of representatives; 1 member of the senate; the secretary of administration and finance or a designee; the attorney general or a designee; the executive director of the Northeast Association of Wholesale Distributors or a designee; the executive director of the New England Convenience Store Association or a designee; and 1 person to be appointed

by the governor.
The commission shall study and report on the illegal tobacco distribution industry in the commonwealth and the resulting loss of tax revenue which shall include, but not be limited to investigating, reporting and making recommendations relative to: (1) the regulation, oversight, distribution and sale of all tobacco products sold in the commonwealth; (2) the illegal tobacco market in the commonwealth; (3) the loss of tobacco excise and sales tax revenues in the commonwealth as a result of the illegal tobacco market; (4) methods to maximize the collection of tobacco excise and sales tax revenues being lost to the illegal market; and (5) enforcement and penalties for violations of laws relative to the collection and reporting of all tobacco taxes under chapter 64C of the General Laws.
The commission shall convene not later than November 1, 2013. The commission shall prepare a report detailing its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives, the chairs of the house and senate committees on ways and means and the senate and house chairs of the joint committee on revenue not later than March 1, 2014."
**After remarks, the amendment was adopted.**
Suspension of Senate Rule 38A.
Ms. Chandler 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.
Recess.
There being no objection, a quarter past six o'clock P.M., the Chair (Mr. Rosenberg) declared a recess; and, at twelve 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 two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.
Mr. Wolf moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting after the words "through item 7008-1000" the following words:- "; provided further, that not less than $200,000 shall be expended for opening the 11 visitor information centers from Memorial Day to Columbus Day"; and by striking out the figure "$5,924,728" and inserting in place thereof the following figure:- "$6,124,728".
**The amendment was adopted.**
Ms. Clark, Ms. Creem, Ms. Candaras, Messrs. DiDomenico, Rodrigues and Joyce, Ms. Chang-Diaz, Mr. Donnelly, Ms. O'Connor Ives, Mr. Barrett, Ms. Jehlen, Mr. Kennedy, Ms. Spilka, Messrs. Rush, Wolf, Brownsberger and Eldridge, Ms. Donoghue, Messrs. McGee and Finegold and Ms. Lovely moved that the proposed new text be amended in section 2, in item 0321-1600, by striking out the figure "$12,000,000" and inserting in place thereof the following figure:- "$13,000,000".
**The amendment was adopted.**
Ms. Creem, Ms. Chang-Diaz, Messrs. Eldridge, McGee and Wolf and Ms. Lovely moved that the proposed new text be amended in section 2, in item 2511-0105, by striking out the figure "$13,000,000" and inserting in place thereof the following figure:- "$14,000,000".
**The amendment was adopted.**
Mr. Richard T. Moore moved that the proposed new text be amended by inserting after section 84 the following 4 sections:- "SECTION 84A. Section 45 of chapter 131 General Laws, as so appearing, is hereby amended by inserting after the word 'following:', in line 14, the following words:- a limitation on the length of a vessel,.
SECTION 84B. Said section 45 of said chapter 131, as so appearing, is hereby further amended by inserting after the word 'uses', in line 17, the first time that it appears, the following words:- , a ban on the operations of any commercial vessel.
SECTION 84C. Said section 45 of said chapter 131, as so appearing, is hereby further amended by inserting after the word 'uses', in line 24, the following words:- a limitation on the length of a vessel, a ban on the operations of any commercial vessel.
SECTION 84D. Said section 45 of said chapter 131, as so appearing, is hereby further amended by adding the following paragraph:-
Notwithstanding any other provision of this section, the director of the office of law enforcement shall formally respond, in writing, to any request for approval of a rule or regulation subject to approval by the office of law enforcement from a city or town in which the whole or any portion of any great pond is situated within 90 days; provided, however, that the proposed regulation changes shall be the subject of a public hearing within the city or town making the request prior to the issuance of a formal response by the office of law enforcement."
After remarks, the amendment was adopted
Mr. Montigny 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 expended for the Ocean Explorium in New Bedford".
The amendment was *rejected*.

Ms. Lovely, Ms. Donoghue and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7002-0021, by striking out the figure "$19,250,000" and inserting in place thereof the following figure:- "$20,250,000".
The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 7002-0022, by adding at the end thereof the following: "provided further that $250,000 be expended for North Shore InnoVentures in the City of Beverly to support the development of early stage biotech and clean tech businesses"; and in said item, by striking out the figures "$15,000,000"and inserting in place thereof the following figure: "$15,250,000".
After remarks, the amendment was *rejected*.

Ms. Lovely 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 $200,000 be expended for the River House shelter in the City of Beverly".
After remarks, the amendment was *rejected*.

Mr. Rush 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 operation of the programs of the Riverside Theatre Works located in the Hyde Park section of the City of Boston".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2 by inserting after item 7002-0012 the following item:
"xxxx-xxxx For Centro Latino de Chelsea to provide workforce training, educational services, and other transitional services in the city of Chelsea ……$75,000".
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 thereof 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 in said item, by striking out the figures "$6,362,790" and inserting in place thereof the figures "$6,462,790".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended, in section 2, in item 7004-0108, by adding at the end thereof the following:- "provided further, that not less than $175,000 shall be expended annually for provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Incorporated for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011"; and in said item, by striking out the figures "$58,788,556" and inserting in place thereof the figures "$58,963,556".
The amendment was *rejected*.

Messrs. Eldridge, Donnelly, Rush, Kennedy and Michael O. Moore, Ms. Spilka, Ms. Creem, Mr. Brownsberger, Ms. Clark, Messrs. Barrett, Wolf and DiDomenico and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7004-0099, by inserting after the words "any temporary or bridge subsidies provided with state or federal funds" the following additional words:- ", which shall include households receiving rental assistance under item 7004-0108 after July 1, 2013;".
After remarks, the amendment was adopted
Messrs. Eldridge, Rush, Donnelly, Kennedy and Wolf, Ms. Jehlen, Mr. Joyce, Ms. Chang-Diaz, Messrs. Brownsberger, Michael O. Moore, Barrett and DiDomenico and Ms. Lovely 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 is terminated from the program because it has received 24 successive months of rental assistance shall not be able to receive assistance under this item for 12 months from the last date it received assistance through this program;" and inserting in place thereof the following language:- "provided further, that the department will take all necessary steps to ensure that families reaching the end of their time limited rental assistance shall not become homeless again, including, but not limited to: (a) transitioning families to long-term subsidized housing, including but not limited to assistance given through housing authorities, the federal Housing Choice Voucher program, or rental assistance under item 7004-9024; or (b) providing families with assistance through this item and item 7004-9316; provided further, that, notwithstanding any general or special law or rule or regulation to the contrary, the department shall ensure that any such family who does become homeless again shall be provided access to emergency shelter under item 7004-0101 so long as such family meets the income requirements of item 7004-0101, meets the requirements of the family's housing stabilization plan and all other options of housing assistance have been exhausted; provided further, that on the first day of each month beginning on September 1, 2013, the department shall provide a report to the house and senate committees on ways and means, the joint committee on housing and the joint committee on children, families and persons with disabilities detailing how many families reached the end of the 24 month period in the preceding month and each family's current housing status, including what additional forms of assistance are being provided to ensure that the family does not become homeless again; and by inserting at the end thereof the following language:- ", the number of households transitioned into federal funded public housing or rental assistance, the number of households transitioned to item 7004-9024, the number of households that exited the program into alternative housing, the number of households exiting the program and unaccounted for; provided further, that the report shall include the number of families served who required further assistance at a later date, the type of assistance later provided, the current housing stability of each family who received assistance within the prior 12 months, including transitional housing or short-term housing assistance, and any obstacles encountered with the administration of this program".

After remarks, the amendment was adopted
Messrs. Eldridge, Keenan, Knapik, Timilty and Kennedy, Ms. Spilka and Ms. Clark moved that the proposed new text be amended in section 2, in item 7004-0104, by striking out the figure "$1,400,000" and inserting in place thereof the following figure:- "$1,800,000".
After remarks, the amendment was *rejected*.

Messrs. Hedlund, Tarr and Knapik moved that the bill be amended by inserting the text of Senate document numbered 1831, relative to cost certification.
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eight o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 7 — nays 31)* **[Yeas and Nays No. 50]**:
YEAS.
Donnelly, Kenneth J. Ross, Richard J.
Hedlund, Robert L. Tarr, Bruce E.
Keenan, John F. Timilty, James E. − 7.
Knapik, Michael R.
NAYS.
Barrett,
Michael J. Kennedy, Thomas P.
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.
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. 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.
Jehlen, Patricia D. Wolf, Daniel A. − 31.
Joyce, Brian A.

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

Mr. DiDomenico, Ms. Clark and Mr. Joyce moved that the proposed new text be amended in section 2 by inserting after item7002-0012 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 ……..... $200,000".
The amendment was *rejected*.

Messrs. DiDomenico and Brownsberger moved that the proposed new text be amended in section 2, in item 7004-0099, by adding at the end thereof the following: "provided further, that no less than $25,000 shall be expended for Solutions at Work in the city of Cambridge"; and in said item, by striking the figures "$6,362,790" and inserting in place thereof the figures "$6,387,790".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7003-0803, by adding at the end thereof the following:- "provided, that not less than $2,103,747 shall be expended for one-stop career centers that were in existence on May 1, 1997, located in the Boston, Hampden county and metro north service delivery areas and any satellite offices of said centers which opened on or before December 1, 1997".
The amendment was *rejected*.

Ms. Candaras and Messrs. Joyce and Montigny 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 $200,000 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 that received funding in fiscal year 2013 receive funding in fiscal year 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:- "$3,700,000".

**The amendment was adopted.**
Ms. Clark and Messrs. Wolf and Keenan moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 7004-9316 the following item:
"XXXX-XXXX. Community Action Homelessness Prevention Program
For the purposes of a homelessness prevention program known as the Community Action Homelessness Prevention Program (CAHPP), to be administered by community action agencies, to support the delivery of services by staff and to support emergency financial assistance for families who have incomes at or below 130% of the federal poverty line and include a child under age 21 or a pregnant woman; provided further, that such prevention services and financial assistance shall be offered on first-come, first-serve basis, and shall include landlord/tenant mediation, legal assistance to prevent eviction, housing search services, stabilization services and tracking to ensure that families remain housed for a minimum of 12 months, and financial assistance to pay up to $4,000 per household for rental arrearages, short-term subsidy, or first month's rent/last month's rent/security deposit; provided further that arrearage payments shall be to landlords who have issued a notice to quit but who agree to withdraw the notice and extend the tenancy if payment is provided and that short term subsidy for first month, last month, security deposit funds shall be offered only if funds will prevent a family from becoming homeless; provided further that families served shall include families that are at risk of homelessness but have not yet sought eligibility determination for HomeBASE services and shall also include families at risk of homelessness who do not yet meet eligibility criteria for HomeBASE services and are referred to community action agencies by HomeBASE agencies or other nonprofit or service organizations or government entities; provided further, that community action agencies and regional housing nonprofits shall collaborate to ensure that the maximum number of households are able to secure prevention resources through either the Community Action Homelessness Prevention Program or RAFT resources; provided further that that the CAHPP program shall be administered by community action agencies, as defined in section 24 of the Chapter 23B of the Massachusetts General Laws …… $5,000,000".
The amendment was *rejected*.

Ms. Donoghue, Ms. O'Connor Ives, Ms. Spilka, Messrs. Knapik and Wolf and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7008-0900, by striking out the figure "$5,924,728" and inserting in place thereof the following figure:- "$8,424,728".
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 Massachusetts Port Authority shall make available the property known as Building 23/33, at 256 Marginal Street, East Boston, MA 02128 or equivalent space of up 20,000 square feet in size, for the purpose of the design, construction and repair of vessels, provided that the authority shall develop a plan for the rehabilitation of said property for this purpose and the recovery and absorption of costs required to do so, or a combination thereof, together with a plan for the solicitation and award of one or more leases for said property not later than July 30, 2013 and provided further, that such lease or leases shall be awarded not later than September 1, 2013."
The amendment was *rejected*.

Ms. Candaras and Messrs. Knapik and Eldridge moved that the proposed new text be amended in section 2, in item 7002-0022, by striking out the figure "$15,000,000" and inserting in the place thereof the following figure:- "$18,750,000".
The amendment was *rejected*.

Ms. Clark and Mr. Rush and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7007-0952, by striking out the figure "$3,500,000" and inserting in place thereof the following figure:- "3,700,000".
The amendment was *rejected*.

Mr. Knapik 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 $50,000 shall be expended to Passport Holyoke for costs associated with programing and events,".
The amendment was *rejected*.

Mr. Knapik 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 $75,000 shall be expended for the creation and promotion of a living museum located at the Whip Manufacturing Company in Westfield, MA,".
The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended in section 2, in item 7006-0040, by striking out the figure "$2,474,874" and inserting in place thereof the following figure:- "$2,666,201".
The amendment was *rejected*.

Ms. Chang-Diaz and Mr. Brownsberger 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 words:- "; and provided further, that not less than $75,000

shall be expended for festivals supporting and promoting cultural heritage diversity, education, and tourism".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. Donnelly and Brownsberger and Ms. Clark moved that the proposed new text be amended in section 2, in item 7003-0803, by inserting, after the words "provided by the department of career services" the following words:- "; provided that $288,000 be directed towards workforce development programs for homeless individuals"; and in said item, by striking out the figure "$4,494,467" and inserting in place thereof the following figure:- "$4,782,467".
The amendment was *rejected*.

Mr. Eldridge moved that the proposed new text be amended in section 84 by inserting at the end thereof the following additional language:- "Subsection (b) of section 31 of said chapter 121B, as so appearing, is hereby amended by repealing the language appearing at lines 25 through 35 and inserting in place thereof the following words:- approve such a project only if it makes the following determinations: (i) the design and layout of the proposed project is appropriate to the neighborhood in which it is to be located; and (ii) an".
**After remarks, the amendment was adopted.**
Mr. Donnelly, Ms. Spilka and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7004-0101, by striking out the words "provided further, that notwithstanding any 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; 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; provided further, that families receiving such shelter benefits who are found not to be eligible for continuing shelter benefits shall be eligible for aid pending a timely appeal pursuant to chapter 23B of the General Laws;" and inserting in place thereof the following words:- "provided further, that notwithstanding any general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to (i) 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, and (ii) families who otherwise appear eligible except for not yet appearing to meet the eligibility criteria under category (iv) in item 7004-0101 and who present credible statements or other credible evidence that they are within 24 hours of having to enter a housing situation covered by category (iv); 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; provided further, that families placed pursuant to subsection (ii) in the presumptive placement proviso shall remain eligible for emergency shelter beyond the 30 days if their eligibility is otherwise verified and if the department has been unable to identify other feasible alternative housing for them, without regard to the fact that they did not satisfy the requirements of category (iv) at the time of presumptive placement;".
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, "provided further that not less than $50,000 shall be expended for the Wilbraham Nature and Cultural Council working in collaboration with the Wilbraham Community Association and the Minnechaug Land Trust for tourism marketing and advertising purposes".
The amendment was *rejected*.

Mr. Kennedy 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 following figure:- "$4,345,000".
The amendment was *rejected*.

Mr. Rush, Ms. Candaras and Messrs. McGee, Petruccelli and Knapik 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 $600,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that not less than $300,000 shall be expended for the Urban League of Springfield"; and in said item, by striking out the figure "$600,000" and inserting in place thereof the figure "$1,500,000".
The amendment was *rejected*.

Messrs. Wolf and Donnelly, Ms. Clark and Messrs. Knapik, Eldridge, Brownsberger and McGee moved that the proposed new text be amended in section 2, by inserting after item 7002-0012 the following item:
"xxxx The Workforce Competitiveness Trust Fund to support employer-led training partnerships aligned to the Commonwealth's economic development strategy. Funds will provide education and skills development for unemployed and underemployed persons that lead to jobs in high growth industry sectors …….. $5,000,000".
The amendment was *rejected*.

Mr. McGee moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "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. Richard T. Moore 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 not less than $50,000 shall be expended for community outreach and education efforts to the Hispanic senior citizens of Southbridge"; and in said item, by striking out the figures "$600,000" and inserting in place thereof the figures "$650,000".
The amendment was *rejected*.

Ms. Candaras, Mr. Knapik and Ms. Spilka moved that the proposed new text be amended in section 112, by striking subsection (ii) in outside section 112; and by inserting after item 7002-0022 the following item:
"xxxx-xxxx For a transfer to the Massachusetts Life Sciences Investment Fund established by section 6 of chapter 23I of the General Law.....$25,000,000".
The amendment was *rejected*.

Ms. Creem 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 following figure:- "$4,345,000".
The amendment was *rejected*.

Ms. Donoghue, Ms. Candaras, Mr. Montigny, Ms. Lovely and Messrs. Keenan, Welch and Joyce moved that the proposed new text be amended in section 29, by adding at the end thereof the following: "; and by inserting, in line 141 of section 3A of chapter 23A, after the word 'average'" the following:- ", provided that if a qualifying municipality's population is less than 35,000, said municipality's median household income must be at least 15% below the commonwealth's average".
The amendment was *rejected*.

Messrs. Michael O. Moore, Downing, Ross and Tarr moved that the proposed new text be amended in section 2, in item 7035-0006, by striking out the figure "$49,521,000" and inserting in place thereof the following figure:- "$51,521,000".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at thirteen minutes past eight o'clock P.M., on motion of Mr. Michael O. Moore, as follows, to wit *(yeas 38 — nays 0)* **[Yeas and Nays No. 51]**:
YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 38.
NAYS − 0.

The yeas and nays having been completed at sixteen minutes past eight o'clock P.M., the amendment was adopted.
Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7077-0023, by striking out the figure "$2,500,000" and inserting in place thereof the following figure:- "$4,000,000".
**After remarks, the amendment was adopted.**
Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 7066-0024, by striking out the figure "$1,300,000" and inserting in place thereof the following figure:- "$1,400,000".
**After remarks, the amendment was adopted.**
Messrs. Finegold, Petruccelli, McGee and Joyce moved that the proposed new text be amended in section 2, in item 7053-1925, by striking out the words "funds shall be expended for the summer food service outreach program and the school breakfast outreach program" and inserting in place thereof the following words:- "$75,000 more than the amount expended in fiscal year 2013 shall be expended for a grant with Project Bread – The Walk for Hunger to enhance and expand the summer food service outreach program and the school breakfast outreach program"; by striking out the words "provided further, that funds" and inserting in place thereof the following words:- "provided further, that $200,000 more than the amount spent in fiscal year 2013"; and by striking out the figure "$4,121,215" and inserting in place thereof figure:- "$4,396,215".
The amendment was *rejected*.

Messrs. Joyce, Rush and Rodrigues, Ms. Creem and Messrs. Brownsberger, Eldridge, McGee and Ross 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 2013"; and in said item, by striking the figure "$20,000,000" and inserting in place thereof the figure:- "$23,948,947".
The amendment was *rejected*.

Messrs. Michael O. Moore, Brownsberger and Knapik moved that the proposed new text be amended in section 2, in item 7066-0021, by striking out the figure "3,233,842" and inserting in place thereof the following figure:- " $3,674,842" and by striking out at the end thereof the following:- "; provided further, that if sufficient funds are not appropriated to cover full tuition and fee waivers, the council may adopt guidelines that give preference to qualifying students whose expected family contribution, as determined by the Free Application for Federal Student Aid, is less than $10,000; and provided further, no eligible student shall receive less funds than received in previous years due to the implementation of these guidelines".
**The amendment was adopted.**
Mr. Petruccelli moved that the proposed new text be amended in section 2, in item 7061-9404, by inserting after the words "August 31, 2014 to allow for summer remediation programs;" the following: "provided further, JFY Networks shall receive not less than the amount appropriate in line item 7061-9404 of section 2 of chapter 139 of the acts of 2012;"; and by striking the figure "$9,094,804" and inserting in place thereof the figure "$9,294,804".
The amendment was *rejected*.

Messrs. Welch and McGee and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7035-0005, by striking out the figure "$6,050,000" and inserting in place thereof the following figure: "$7,350,000".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes past eight o'clock P.M., on motion of Mr. Welch, as follows, to wit *(yeas 37 — nays 0)* **[Yeas and Nays No. 52]**:
YEAS.
Barrett, Michael J. Knapik, Michael R.
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.
Clark, Katherine M. O'Connor Ives, Kathleen
Creem, Cynthia Stone Pacheco, Marc R.
DiDomenico, Sal N. Petruccelli, Anthony
Donnelly, Kenneth J. Rodrigues, Michael J.
Donoghue, Eileen M. Rosenberg, Stanley C.
Downing, Benjamin B. Ross, Richard J.
Eldridge, James B. Rush, Michael F.
Finegold, Barry R. Spilka, Karen E.
Flanagan, Jennifer L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 37.
Kennedy, Thomas P.
NAYS − 0.
ANSWERED "PRESENT".
Hedlund, Robert L. (present) − 1.

The yeas and nays having been completed at twenty-eight minutes past eight o'clock P.M., the amendment was adopted.
Mr. Tarr moved that the proposed new text be amended by inserting, after section__, the following new section:- "SECTION__. Section 19 of chapter 15A of the General Laws, as most recently amended by chapter 189 of the Acts of 2010, is hereby further amended by inserting, after the third paragraph, the following new paragraph:- Such guidelines shall provide tuition and fee waivers for veterans of Massachusetts, as defined in clause 43 of section 7 of chapter 4 of the General Laws, and active duty servicepersons who are permanent and legal residents of Massachusetts and whose educational costs for attending a public institution of higher education, as defined in Section 5 of Chapter 15A of the General Laws, are not fully covered by Title 38, U.S. Code, Section 3675, CFR 21.4253. The Commonwealth, not the institutions of public higher education, shall bear the cost of such tuition and fee waivers for Massachusetts veterans and active duty servicepersons. The tuition and fee waiver shall be applied to unmet tuition and fee charges after the application of any educational entitlements under Title 38, U.S. Code, Section 3675, CFR 21.4253."
After remarks, the amendment was *rejected*.

Messrs. Petruccelli and Tarr moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 7061-9010 the following:
"7061-9011 For competitive grants to schools districts for planning, implementation and enhancement of Innovation Schools;

provided, that, in the case of planning grants, applications have received approval of the Innovation School prospectus from the screening committee; provided further, that, in the case of implementation grants, the applicant has received final approval of the Innovation School from the local school committee; provided further, that Innovation Schools looking to enhance their Innovation School plans have demonstrated program is meeting the school's measureable annual goals and have a compelling plan for enhancing their Innovation School plan; and provided further, that priority will be given to schools proposed in level 3 and 4 districts….. $1,000,000".

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

Mr. Joyce moved that the proposed new text be amended in section 2, in item 7061-9408, by inserting after the word "months" the following words:- "; provided further, that $250,000 shall be expended for the continuation of a parent engagement program established in item 7061-9408 in section 2 of chapter 182 of the acts of 2008"; and by striking out the figure "$7,640,268" and inserting in place thereof the following figure: - "$7,890,268".

**The amendment was adopted.**

Mr. Keenan moved that the proposed new text be amended in section 2, in item 7035-0002, by adding at the end thereof the following: "provided further, an entity that receives grant funding for English Language Learners cannot receive such grants in more than one workforce development region".

The amendment was *rejected*.

Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended in section 2, in item 3000-4070, by striking the words "programs; provided" and inserting in place thereof the following language:- "programs; provided that the department shall maintain and operated a centralized waitlist detailing the order in which and estimated time in which children eligible for benefits but on the waitlist will begin receiving benefits; provided further that the department shall provide quarterly reports to the house and senate committees on ways and means and the clerks of the house and the senate; and provided further that".

After remarks, the amendment was *rejected*.

Messrs. Ross, Hedlund, Knapik and Tarr moved that the proposed new text be amended by adding the following new section:- "SECTION XX. Section 4 of Chapter 70 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 4, after the word 'appropriate.' the following words:- The commission shall examine relevant data and reports on education funding produced within the last 10 years and make specific recommendations as to the financial sustainability of the foundation budget calculation. The foundation budget review commission established in 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 June 30, 2014."

The amendment was *rejected*.

Ms. Chandler, Messrs. Rodrigues and Barrett, Ms. Chang-Diaz, Messrs. Brownsberger, Downing and Knapik and Ms. Clark moved that the proposed new text be amended by inserting, after section ___, the following new section:- "SECTION ___. Nothwithstanding any general or special law to the contrary, the division of purchase services of the operational services division which, under Section 22N of Chapter 7 of the General Laws, as most recently amended by Chapter 257 of the Acts of 2008, is responsible for determining prices for programs under chapter 71B of the General Laws, shall authorize the annual price for out-of-state purchasers requested by a program, not to exceed a maximum price determined by the division by identifying the most recent price calculated for the program and applying the estimated rate of inflation for each year, as determined by the division pursuant to said section 22N of said chapter 7, in which the rate of inflation is frozen beginning with fiscal year 2004, in a compounded manner for each fiscal year."

**The amendment was adopted.**

Ms. Spilka moved that the proposed new text be amended in section 2, in item 7066-0000, by inserting at the end thereof the following words:- "; provided further that not less than $100,000 shall be expended for a pilot program to provide internship opportunities and workforce training for Massachusetts Veterans at Framingham State University and Massachusetts Bay Community College, for which an evaluation of results shall be provided to the Joint Committee on Veterans and Federal Affairs no later than 18 months following adoption;"; and by striking out the figure "$1,961,016" and inserting in place thereof the following figure:- "2,061,016".

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following 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."

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 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 house and the senate not later than May 1, 2014."
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 2013 or 2014; 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 in said item, by striking out the figure "$13,837,895" and inserting in place thereof the following figure:- "$13,897,895".
The amendment was *rejected*.

Ms. Chang-Diaz 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*.

Mr. Finegold moved that the proposed new text be amended by inserting, after section 62, the following new section:- "SECTION XX. Section 10 of chapter 70B of the General Laws, as so appearing, is hereby amended by inserting, at the end of the first sentence, the following words:- '; provided, however, that the grant percentage may be 90 per cent or less for that any approved school project in a district designated as chronically underperforming under section 1K of chapter 69'."
The amendment was *rejected*.

Messrs. Finegold, Eldridge, Knapik and Welch, Ms. Lovely, Mr. Michael O. Moore, Ms. Donoghue, Mr. Keenan, Ms. Chang-Diaz and Mr. Rodrigues moved that the proposed new text be amended in section 2, 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".
The amendment was *rejected*.

Messrs. Montigny and Rosenberg 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 no less than $150,000 be allocated for the Clemente Course in the Humanities, administered by the Massachusetts Foundation for the Humanities in partnership with the University of Massachusetts Boston and the University of Massachusetts Dartmouth and local social service agencies, which provides college-level humanities instruction and support service 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; and 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. Finegold moved that the proposed new text be amended in section 2, in item 7061-9412, by inserting after the words "use of the additional learning time" the following words:- "; provided further, that in approving expanded learning time implementation grant applications, preference shall be given to applications that target and enhance middle school academic support services".
The amendment was *rejected*.

Ms. Spilka moved that the proposed new text be amended in section 2, in item 7061-9611, by inserting at the end thereof the following words:- "; provided further, that not less than $100,000 shall be expended for the Hoops and Homework program in

Framingham, Massachusetts"; and in said item by striking out the figures "$1,410,000" and inserting the figures "$1,510,000".
The amendment was *rejected*.

Messrs. Downing and Wolf, Ms. Spilka, Messrs. Michael O. Moore, Eldridge and Brownsberger, Ms. Creem and Messrs. Donnelly and McGee moved that the proposed new text be amended in section 2, in item 7100-0700, by striking out the figure "$643,500" and inserting in place thereof the following figure:- "937,500".
The amendment was *rejected*.

Mr. Downing and Ms. Clark moved that the proposed new text be amended in section 2 by inserting after item 7066-0025 the following item:
"xxxx-xxxx For adult college transition services focused on low-income and entry-level workers, provided that said funds shall be awarded competitively by the Board of Higher Education to adult basic education providers, including Local Education Agencies, Community-Based Organizations, community colleges and correction facilities with recognized success in bridging academic gaps of underserved populations and resulting in their college entrance, retention and success. Provided further, that program awardees shall report on attendees' successful transition to college, and that the program shall deliver to the house and senate committees on ways and means and the joint committee on education, not later than February 15, 2014, an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that funds may be expended through August 31, 2014 to allow for summer programming...…….. $100,000".
**The amendment was adopted.**
Mr. Rush 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 the University of Massachusetts shall expend funds for the University of Massachusetts Cranberry Health Research Center".
The amendment was *rejected*.

Messrs. Downing, Rodrigues and Montigny and Ms. Lovely moved that the proposed new text be amended in section 2 by inserting after item 7009-6400 the following item:
"xxxx-xxxx 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 (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……..…….. $500,000".
The amendment was *rejected*.

Mr. Downing moved that the proposed new text be amended in section 2 by inserting after item 7113-0100 the following item:
"xxxx-xxxx 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……..... $100,000".
**The amendment was adopted.**
Ms. Spilka andMessrs. DiDomenico, Eldridge and McGee moved that the proposed new text be amended in section 2E, in item 7066-0035, by striking the figure "1,000,000" and inserting in place thereof the following figure:- "$1,500,000".
The amendment was *rejected*.

Mr. Welch and Ms. Candaras moved that the proposed new text be amended in section 2, in item 3000-4060, by inserting after the word "environments" the following:- "; provided further, no less than $200,000 shall be expended for the operation of the Springfield Housing Authority Talk Read Succeed Program".
The amendment was *rejected*.

Ms. Donoghue moved that the proposed new text be amended in section 2, in item 7061-9626, by striking out the figure "$1,500,000" and inserting in place thereof the following figure:- "2,000,000".
**The amendment was adopted.**
Mr. DiDomenico, Ms. Jehlen, Mr. McGee, Ms. Spilka and Mr. Joyce moved that the proposed new text be amended in section 2, in item 7035-0002, by striking out the figures "$30,024,160" and inserting in place thereof the following figures:- " $30,174,160"; and by inserting after the words "elementary and secondary education" the following:- "and provided further, that not less than $150,000 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".
**After remarks, the amendment was adopted.**
Mr. Rush moved that the proposed new text be amended in section 2, in item 8700-1150, by inserting at the end thereof the following:- "provided further, that reimbursements of the costs of Massachusetts veterans' tuition and fee waivers under section 19 of chapter 15A also include the costs of online courses; provided further, that the Commonwealth, not the institution of public

higher education, shall bear the cost of such tution and fee waivers for the veterans in the Commonwealth".
The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7061-9611, by inserting at the end thereof the following: "and provided further that not less that $200,000 shall be expended for The Discovery Ensemble to operate a youth musical program"; and in said item, by striking the figures "1,410,000" and inserting in place thereof the figures "1,610,000".
The amendment was *rejected*.

Mr. Rodrigues, Ms. Flanagan, Ms. Chang-Diaz, Ms. Lovely, Messrs. Brownsberger, DiDomenico and Rush and Ms. Clark moved that the proposed new text be amended in section 2, in item 7061-9412, by striking out the figure "$13,768,030" and inserting in place thereof the following figure:- "$14,168,030".
The amendment was *rejected*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 3000-3050, by striking out the figure "$76,991,445" and inserting in place thereof the following figure:- "$80,821,506".
The amendment was *rejected*.

Ms. Chang-Diaz and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 7027-1004, by striking out the figure "$1,805,310" and inserting in place thereof the following figure:- "$3,000,000".
**After remarks, the amendment was adopted.**
Mr. Barrett moved that the proposed new text be amended in section 2, in item 7061-0033, by striking out the words, "at Camp Edward, Coast Guard Air Station Cape Code and Otis National Guard Base"; and in said item by striking out the figure "$900,000" and inserting in place thereof the following figure:- "$1,300,000".
After debate, the amendment was *rejected*.

Ms. Chang-Diaz, Messrs. Brownsberger, Knapik and Welch, Ms. Donoghue and Messrs. Eldridge and Finegold moved that the proposed new text be amended in section 2, in item 7061-9010, by striking out the figure "76,354,914" and inserting in place thereof the following figure:- "102,713,679".
After remarks, the amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2, in item 7061-0011, by inserting after "section 3" the following: - "or a regional school agreement".
The amendment was *rejected*.

Messrs. DiDomenico and Joyce and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting after "education" the following:- "and provided further, that the department, in collaboration with the commission on gay and lesbian youth established in section 67 of chapter 3 of the General Laws, may allocate funds to ensure public schools' support and safety of lesbian, gay, bisexual and transgender students and the implementation of related suicide and violence prevention efforts and reduction of health disparities for lesbian, gay, bisexual and transgender youth".
**The amendment was adopted.**
Mr. Hedlund moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting after "education" the following:- "; provided further, that the department, in collaboration with the executive office of public safety and homeland security, shall allocate not less than $288,000 to the Hingham Public Schools for video cameras, automatic locking doors and training programs; not less than $262,705 to the Hull Public Schools for an enhanced security system, school-police connected radios and a school resource officer; and not less than $49,800 to the Cohasset Public Schools for video monitoring systems and a visitor security system to ensure the public safety of students, faculty, staff, administrators and visitors".
The amendment was *rejected*.

Ms. Creem and Messrs. Keenan and Michael O. Moore moved that the proposed new text be amended in section 2, in item 7035-0005, by striking out the figure "$6,050,000" and inserting in place thereof the following figure:- "$11,300,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. DiDomenico and Donnelly, Ms. Clark, Mr. Brownsberger, Ms. Jehlen, Mr. Kennedy, Ms. Spilka, Messrs. Knapik, Rush and Petruccelli, Ms. Donoghue, Mr. Eldridge, Ms. Creem, Mr. Keenan and Ms. Lovely moved that the proposed new text be amended in section 2, in item 7035-0002, by striking out the figure "30,024,160" and inserting in place thereof the following figure:- "32,000,000".
The amendment was *rejected*.

Messrs. Wolf, Michael O. Moore and Rosenberg moved that the proposed new text be amended in section 2, in item 7066-0000, by striking out the word "may" and inserting in place thereof the following word:- "shall"; by adding the following words: "; and provided further, that funds shall be expended for the office of trustee relations"; and by striking out the figure "$1,961,016" and inserting in place thereof the following figure:- "$2,261,016".
**The amendment was adopted.**

Ms. Clark, Messrs. Finegold, Joyce and McGee and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 3000-5075, by striking the figure "7,000,000" and inserting in place thereof the following figure:- "7,500,000".
The amendment was *rejected*.

Ms. Donoghue, Mr. Eldridge, Ms. Spilka, Mr. Pacheco and Ms. Lovely moved that the proposed new text be amended by inserting the following new section:-
"SECTION __. (a) There shall be a special commission on higher education quality, efficiencies and finance consisting of the following members: the secretary of education, or a designee, who shall serve as chair of the commission; the commissioner of higher education, or a designee; the President of the University of Massachusetts system, or a designee; the house and senate chairs of the joint committee on higher education, or their designees; 6 persons to be appointed by the secretary of education, 1 of whom shall be selected from a list of 3 nominees submitted by the Massachusetts Teachers Association, 1 of whom shall be selected from a list of 3 nominees submitted by the council of presidents of the state university system, 1 of whom shall be selected from a list of 3 nominees submitted by the Massachusetts Community Colleges Executive Office, 1 of whom shall be selected from a list of 3 nominees submitted by the Association of Independent Colleges and Universities of Massachusetts, 1 of whom shall be selected from a list of 3 nominees submitted by the Massachusetts Competitive Partnership; and a student representative currently enrolled in a public higher education institution in the commonwealth.
(b) The commission shall seek to define the requirements of a high quality system of public higher education that meets the needs of students and the commonwealth, and to define a sustainable model of financing such a system and the appropriate relative contributions of students and families, the commonwealth, and all other sources, including federal grants.
(c) In addition, the commission shall examine, report on, and make recommendations on the full range of issues affecting public higher education quality and financing in the commonwealth, including but not limited to: (1) leveraging current efficiencies and reforms, such as performance incentive grants and the partnership for collaboration and efficiencies initiative; (2) working to better understand and allocate all available resources to the campuses, including understanding current revenue structures; (3) enhancing operational efficiencies in the areas of human resources, purchasing and information technology and eliminating redundancies; (4) rationalizing the definition of tuition and fees in a manner that is transparent and consumer friendly; (5) re-evaluating the historical financing mechanisms that now restrict coherent fiscal planning, including, but not limited to, tuition retention and the fiscal structure of continuing education classes; (6) reviewing currently offered tuition and fee waivers, including (i) which waivers are still of policy value, (ii) which should be the fiscal responsibility of campuses and which of the commonwealth, and (iii) addressing the loss of revenue to campuses from the implementation of tuition retention and a redefinition of tuition and fees; (7) integrating campus capital planning with operating expenditures; (8) evaluating the appropriate adjunct faculty to full-time faculty ratio, with a review of the use of adjunct or part-time faculty, as well as the pay, benefits, responsibilities of, and support services provided to, adjunct faculty under the current system, the number and use of full-time and tenure-track faculty across the system and the ability of the current system to attract and retain highly qualified faculty and staff; (9) assessing the number of developmental students being served under the current system and at which institutions, and the adequacy of academic and related support systems in place for both the number and types of students served; and (10) maximizing student investment while attending an institution for public higher education. In particular, the commission shall recommend improved efficiencies of operation in public higher education that could lead to cost savings and improvements to fiscal controls, planning, and cost allocation. Subject to appropriation, the commission may hire temporary staff or consultants to assist with the research and development of any policy recommendations of the commission. The first meeting of the commission shall take place within 45 days after the effective date of this act. The commission shall file a report containing its recommendations, including legislation necessary to carry out its recommendations, with the clerks of the house and senate on or before June 30, 2014."
**After remarks, the amendment was adopted.**
Mr. DiDomenico moved that the proposed new text be amended in section 2, in item 7061-0011, by inserting after the word "application" the following:- "; provided further, that not less than $1,000,000 shall be expended to mitigate costs for districts that (i) experience foundation enrollment growth of greater than 325 pupils from fiscal year 2013 to fiscal year 2014; and (ii) 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 "1,000,000" and inserting in place thereof "$2,000,000".
Mr. Richard T. Moore in the Chair, after remarks, the amendment was adopted.
Ms. Creem and Ms. Spilka moved that the proposed new text be amended by inserting, after section _, the following new section:-
"SECTION _. 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*.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7061-9412, by inserting, after the words "professional development" the following words:- "; provided further, that in carrying out the provisions of this item, districts may contract with vendors that have an established record of working with schools to target and enhance middle school academic support services".
The amendment was *rejected*.

Messrs. DiDomenico, Rush, Petruccelli and Rodrigues, Ms. O'Connor Ives, Mr. Knapik, Ms. Donoghue, Ms. Creem and Messrs. Brownsberger, Wolf, Welch and Downing moved that the proposed new text be amended in section 2, in item 7030-1005, by striking the figure "$400,000" and inserting in place thereof the figure:- "$500,000".
The amendment was *rejected*.

Ms. Donoghue and Messrs. Knapik and Eldridge moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. (a) For the purposes of reducing the need for remediation following matriculation into a postsecondary setting, the comptroller shall transfer $30,000 from the General Fund to the department of elementary and secondary education (hereinafter referred to as 'department') to administer a pilot program called Uniform College and Career Readiness.
(b) The Uniform College and Career Readiness pilot program ('pilot program') is hereby established to be administered by the department for the 2013-2014 school year for the school districts, charter schools, and innovation schools in gateway cities. The pilot program shall be administered to approximately 750 students and will consist of (1) placement tests (2) diagnostic assessment tests, (3) intervention programs be administered to students over a 10-week period as indicated by a student's score on the diagnostic assessment test to ensure that the student receives online education services necessary for the student to demonstrate postsecondary and workforce readiness with either a reduced or eliminated need for remediation, and (4) second placement tests following the delivery of any intervention services in order to collect data necessary to determine the pilot program's efficacy. The placement tests and diagnostic assessment tests shall be those tests commonly administered by public institutions of higher education. The selected school districts, charter schools, or innovation schools shall receive funding to administer the tests and deliver the diagnosed remediation services. Administration of the placement tests, diagnostic assessment tests and intervention services shall commence when a student enters the eleventh grade.
(c) At the end of the pilot program, all recipient schools shall provide a report to the department that includes data of the efficacy of their program efforts by comparing the initial placement tests to the placement tests administered following the delivery of remediation services, and the department shall report the findings of said reports to the house and senate committees on ways and means, the joint committee on education, and the joint committee on higher education by August 2014, for the purpose of determining whether the pilot program shall be more broadly implemented."
The amendment was *rejected*.

Messrs. Rodrigues and Rosenberg, Ms. Clark, Ms. Chang-Diaz, Messrs. DiDomenico, Knapik, Welch, Michael O. Moore, Brownsberger, Donnelly and Kennedy, Ms. Jehlen and Messrs. Finegold and Downing moved that the proposed new text be amended in section 2, in item 7061-9634, by striking out the figure "$250,000" and inserting in place thereof the following figure:- "$450,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Ms. Creem, Ms. Spilka, Messrs. Michael O. Moore and Knapik, Ms. Donoghue, Mr. Eldridge and Ms. Clark 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:- "$23,948,947".
The amendment was *rejected*.

Ms. Clark and Messrs. DiDomenico, Rush, Keenan, Eldridge and McGee moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 7061-9611 the following item:
"xxxx-xxxx. 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 action plans; provided that said action plans shall be based on 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; and provided further that the districts shall also create district plans that support the recipient schools……$200,000".
After remarks, the amendment was *rejected*.

Ms. Chang-Diaz, Mr. Ross, Ms. Creem, Messrs. Brownsberger, DiDomenico and Barrett, Ms. Clark, Ms. Spilka and Messrs. Joyce and McGee moved that the proposed new text be amended in section 2, in item 7010-0012, by striking out the figure "$17,142,582" and inserting in place thereof the following figure:- "$18,142,582".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-three minutes before ten o'clock P.M., on motion of Ms. Chang-Díaz, as follows, to wit *(yeas 38 — nays 0)* **[Yeas and Nays No. 53]**:
YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen

DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 38.
NAYS − 0.

The President in the Chair, the yeas and nays having been completed at twenty minutes before ten o'clock P.M., the amendment was adopted.
Messrs. Kennedy, Finegold and Knapik and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7061-9408, by striking out the figure "$7,640,268" and inserting in place thereof the following figure:- "$9,755,007".
The amendment was *rejected*.

Mr. Wolf moved that the proposed new text be amended in section 2, by inserting after 7066-0035 the following new item:
"7066-0050 Workforce Development Grants
For workforce development grants to community colleges; provided that the funds shall be awarded by the commissioner of higher education to allow community colleges to: (1) develop a comprehensive response to the needs of both employers and workers, including, but not limited to, traditional age students, low-income under and unemployed adults and veterans, by aligning skill training and certificate and degree programs with critical workforce needs in high-demand fields, (2) promote regional job growth by supporting the work of community colleges in responding to employer needs for a middle-skill workforce, (3) develop systems and infrastructure to promote and coordinate alignment of workforce training and education programs among the commonwealth's public education institutions and including career vocational technical program, and (4) develop partnerships with regional and local workforce development, education and training institutions
……. $2,000,000".
The amendment was *rejected*.

Messrs. Kennedy, Finegold and Knapik and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 7061-0029, by striking out the figure "$974,150" and inserting in place thereof the following figure:- "$2,979,388".
The amendment was *rejected*.

Ms. Lovely and Messrs. Joyce and Michael O. Moore moved that the proposed new text be amended in section 2, in item 7061-9010, by inserting after 7061-9010 the following item:
"7061-9011 For competitive grants to school districts for planning, implementation and enhancement of Innovation Schools; provided, that, in the case of planning grants, applicants have received approval of the Innovation School prospectus from the screening committee; provided further, that, in the case of implementation grants, the applicant has received final approval of the Innovation School from the local school committee; provided further, that Innovation Schools looking to enhance their Innovation School plans have demonstrated progress in meeting the school's measurable annual goals and have a compelling plan for enhancing their Innovation School plan; provided further, that priority will be given to schools proposed in Level 3 and 4 districts; and provided further, that up to $365,000 may be expended to provide technical assistance and support to Innovation Schools applicants during planning and implementation ……..... $1,465,000".
The amendment was *rejected*.

Ms. Clark, Mr. Michael O. Moore, Ms. Chandler, Ms. Spilka, Messrs. DiDomenico, Knapik, Rodrigues and Wolf, Ms. O'Connor Ives and Messrs. Downing, Montigny, Welch, Pacheco, Eldridge, Finegold and McGee moved that the bill be amended, in section 2, in item 3000-7070, by striking out the figure "$600,000" and inserting in place thereof the following figure:- "$800,000".
The amendment was *rejected*.

Ms. Chang-Diaz, Mr. Donnelly, Ms. Spilka, Ms. Clark, Messrs. Knapik and Rush, Ms. Candaras, Ms. Lovely, Messrs. Ross, Downing, Timilty, DiDomenico and Welch, Ms. O'Connor Ives, Messrs. Wolf, Michael O. Moore, Keenan, Brownsberger and Eldridge, Ms. Creem, Ms. Jehlen and Mr. Finegold moved that the proposed new text be amended by inserting, after section __, the following new sections:-
"SECTION XX. Chapter 70 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out section 4, as so appearing, 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 such changes as may be appropriate. In conducting such 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 or any successor assessment system. The review shall include, but not be limited to: class size; special education programs; 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; 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 or a designee, the commissioner of elementary and secondary education or a designee, 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 School Business Officials, the Massachusetts Budget and Policy Center, the League of Women Voters of Massachusetts, the Massachusetts Parent Teacher Association, Stand 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.

Prior to issuing its recommendations, the commission shall conduct not fewer than four 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 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.

The commission's recommendations, together with any proposed legislation, shall be filed every four years with the clerks of the senate and house of representatives who shall refer such recommendations to the appropriate committee of the general court. Within 30 days after such filing, the committee shall hold a public hearing on the recommendations.

SECTION XX. The foundation budget review commission established in 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 June 30, 2014; provided, however, that the commission may issue an initial interim report before that date."

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes before ten o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 38 — nays 0)* **[Yeas and Nays No. 54]**:

YEAS.

Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 38.
NAYS − 0.

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

Ms. Creem, Ms. Chang-Diaz, Ms. Lovely, Ms. Flanagan and Messrs. Brownsberger, Eldridge and Michael O. Moore moved that

the proposed new text be amended in section 2, in item 3000-7050, by striking out the figure "$17,164,890" and inserting in place thereof the following figure:- "$18,164,890".
The amendment was *rejected*.

Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended in section 2, in item 3000-4060, by inserting at the end thereof:- "provided further that a grandparent or any other kin raising a related child where the relative has been granted custody of the child through a guardianship issued by the Probate and Family Court, who meets income eligibility guidelines, may be paid from this line item when the child is at risk of becoming eligible for the state's foster care system".
The amendment was *rejected*.

Ms. Clark moved that the proposed new text be amended in section 2, in item 7070-0065, by striking out the figure "$90,000,000" and inserting in place thereof the following figure:- "$90,607,756".
After remarks, the amendment was *rejected*.

Ms. Candaras, Messrs. Welch, Brownsberger, Donnelly and Knapik, Ms. Chang-Diaz, Mr. Wolf, Ms. Lovely, Ms. Jehlen and Messrs. McGee, Barrett, Eldridge, DiDomenico and Joyce moved that the proposed new text be amended in section 2, in item 0950-0050, by striking out the figure "$102,837" and inserting in place thereof the following figure:- "$250,000".
Pending the question on adoption of the amendment, Mr. Tarr moved that the amendment (Candaras et al) be amended in section 2, in item 0950-0050, by inserting, after section __, the following new section:-
"SECTION __. Section 37O of Chapter 71 as appearing in the 2010 Official Edition is hereby amended by inserting in line 6 after the word 'students' the following:- 'or a member of a school staff, including, but not limited to, an education, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional' and; in said Section 37O of Chapter 71 by inserting in line 43 after the word 'student,' the following:- 'or a member of a school staff, including, but not limited to, an education, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional'; and in said Section 37O of Chapter 71 by inserting in line 80 after the word 'guardians.' the following:- 'The plan shall apply to students as well as a member of a school staff, including, but not limited to, an education, administrator, school nurse, cafeteria worker, custodian, bus driver, athletic coach, advisor to an extracurricular activity or paraprofessional.'."
After remarks, the question on adoption of the further amendment (Tarr) was determined by a call of the yeas and nays, at one minute before ten o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 38 — nays 0)* **[Yeas and Nays No. 55]**:
YEAS.
Barrett, Michael J. Kennedy, Thomas P.
Brewer, Stephen M. Knapik, Michael R.
Brownsberger, William N. Lovely, Joan B.
Candaras, Gale D. McGee, Thomas M.
Chandler, Harriette L. Montigny, Mark C.
Chang-Diaz, Sonia Moore, Michael O.
Clark, Katherine M. Moore, Richard T.
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. Tarr, Bruce E.
Jehlen, Patricia D. Timilty, James E.
Joyce, Brian A. Welch, James T.
Keenan, John F. Wolf, Daniel A. − 38.
NAYS − 0.

The yeas and nays having been completed at three minutes past ten o'clock P.M., the further amendment (Tarr) was adopted.
The pending amendment (Candaras et al), as amended (Tarr), was then adopted.
Ms. Chang-Diaz moved that the proposed new text be amended by inserting the text of Senate document numbered 1833, relative to Chapter 459 of the Acts of 2010.
The amendment was *rejected*.

Mr. Richard T. Moore, Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section 93 the following section:-
"SECTION 93A. Chapter 93 of the acts of 1852 is hereby amended by striking out section 1, as appearing in section 1 of chapter 208 of the acts of 1979, and inserting in place thereof the following section:-
Section 1. Thomas Farrington, Joseph Burnett, George S. Jones and all such persons as are now members of an association

known as 'MCPHS University', or shall hereafter become members of the same, are hereby constituted a corporation and body politic, in law and in fact, by the name 'MCPHS University', having met the definition of 'university' under 610 CMR 2.04, for the purpose of cultivating, improving and making known the principles of pharmacy and allied health professions and their collateral branches of science and for giving instruction in the same."

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

Mr. Richard T. Moore moved that the proposed new text be amended in section 2, by striking out item 7512-0100 and inserting in place thereof the following:-

"7512-0100 For Quinsigamond Community College; provided, that the college shall continue to support a satellite campus in the town of Southbridge and continue to pursue additional regional satellite space ..... $15,268,569".

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended, in section 2, in item 7008-0900, provided further, that no less than $75,000 shall be expended as grants for the Bay State Games.

The amendment was *rejected*.

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

Resolutions.

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

Resolutions (filed by Mr. Tarr) "congratulating Carolyn R. S. Harris on being a reward recipient at the Thirty-Fifth Annual Massachusetts Historical Commission Preservation Awards Reception."

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Melanie Chapman, an employee of the Trial Court (see House, No. 1179, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 19 to 0.

The bill was signed by the President and sent to the House for enactment.

Recess.

At eleven minutes before ten o'clock P.M., on motion of Mr. Hart, the President declared a recess until the following day at ten o'clock A.M.

Thursday, May 23, 2013
[being the legislative session of Wednesday, May 22, 2013.]

Met at three minutes past ten o'clock A.M.

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

Distinguished Guests.
There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced, in the rear of the Chamber, a group of seniors from the Village at Duxbury senior living group. The Senate welcomed them with applause and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the President introduced in the rear of the Chamber, the eighth grade class from Plymouth South Middle School. The students were on a field trip to the State House learning about the different aspects of state government. They were accompanied by teachers Mike Canavan, Kerri Miller, Sheryl Crosby, Kate Bochman and Laureen Gallagher. The Senate welcomed them with applause and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced, in the rear of the Chamber, a group of students from the William Seach School in Weymouth. The school is named after William Seach, an American sailor who received the Medal of Honor for bravery during the Boxer Rebellion. The mission statement of the school is provide a nurturing and enriching environment where children acquire rigorous academic and essential social skills. The Senate welcomed them with applause and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Richard T. Moore) handed the gavel to Mr. Hedlund for the purpose of an introduction. Mr. Hedlund then introduced, in the rear of the Chamber, a group of veterans from Weymouth. Among the group were George Pontes, Frank Burke,
Bob Haley, Director, Arthur Sharp and Warren "Buzz" Smith. The Senate welcomed them with applause and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Richard T. Moore) handed the gavel to Mr. Finegold for the purpose of an introduction. Mr. Finegold then introduced, in the rear of the Chamber, the Andover Boy's Gymnastics Team. The team was recognized for being the 2013 MIAA Boys Gymnastics State Champions. They were accompanied by their parents and coaches Steve Sirois and Kwok Man. Coach Sirois has been the head coach of the team for the past 32 years and was recognized for his hard work and dedication. The Senate applauded their accomplishments and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Richard T. Moore) handed the gavel to Ms. Spilka for the purpose of an introduction. Ms. Spilka then introduced, in the rear of the Chamber, the fourth grade class from the Charlotte A. Dunning School in Framingham. The group was on a field trip to the State House learning about the different aspects of state government. They students were accompanied by teachers Lisa McKinnon, Cheryl Pennie, Marisa Berenbaum and Kelsey Slusarz. The Senate welcomed them with applause and they withdrew from the Chamber.
There being no objection, during consideration of the Orders of the Day, the President handed the gavel to Mr. Rush for the purpose of an introduction. Mr. Rush, accompanies by Messrs Petruccelli and Brownsberger, Ms. Chang-Diaz and Messrs DiDomenico and Timilty then introduced, in the rear of the Chamber, members of Boston EMS. The delegation were in the State House in recognition of EMS Week. The Senate welcomed them with applause and they withdrew from the Chamber.
PAPERS FROM THE HOUSE.
Petitions were severally referred, in concurrence, as follows, to wit:
Petition (accompanied by bill, House, No. 3478) of Domenic J. Sarno, mayor (with the approval of the mayor and city council) for legislation relative to the terms of office of city councilors in the city of Springfield;
To the committee on Election Laws.
Petition (accompanied by bill, House, No. 3477) of Dennis A. Rosa (with the approval of the mayor and city council) for legislation that the city of Leominster be authorized to pay a certain unpaid bill to S.J. Mullaney Engineering Inc., for services rendered;
To the committee on Municipalities and Regional Government.

Bills
Expanding juvenile jurisdiction (House, No. 1432, amended,-- on petition); and
Relative to the financial condition of the Spencer-East Brookfield Regional School District (House, No. 3476,-- on House, No. 3409);
Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

A Bill authorizing the town of West Boylston to assess compensary sewer privilege fees (House, No. 1870,-- on petition) [Local approval received],-- was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.
Resolutions.
The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Eldridge) "congratulating Regina J. Cahill on her retirement from the city of Marlborough";
Resolutions (filed by Ms. Flanagan) "congratulating the residents of the town of Bolton of the occasion of the two hundred and seventy-fifth anniversary of the town's founding"; and
Resolutions (filed by Mr. Timilty) "congratulating the Boys Scouts of America Troop 17 in the town of Mansfield on the ninetieth anniversary of its founding."

PAPERS FROM THE HOUSE.
A Bill authorizing the mayor of the city of Somerville to appoint Sean A. Collier a police officer for the city of Somerville (House, No. 3450, -- on petition) [Local approval received],-- was read.
There being no objection, the rules were suspended, on motion of Ms. Jehlen, and the bill was read a second time, ordered to a third reading and 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 nine minutes past ten o'clock A.M., on the motion of Ms. Jehlen, as follows, to wit *(yeas 39 – nays 0)* **[Yeas and Nays No. 56]**:
YEAS.
Barrett, Michael J. Knapik, Michael R.
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.
Clark, Katherine M. Murray, Therese
Creem, Cynthia Stone O'Connor Ives, Kathleen
DiDomenico, Sal N. Pacheco, Marc R.
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.
Hedlund, Robert L. 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.

The yeas and nays having been completed at twelve minutes past ten o'clock A.M., the bill was passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An authorizing the mayor of the city of Somerville to posthumously appoint Sean A. Collier a police officer for the city of Somerville.".
Engrossed Bill—State Loan.
An engrossed Bill financing improvements to the Commonwealth's transportation system (see House, No. 3379, amended) (which originated in the House), 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 borrowing of money, in accordance with the provisions of Section 3 of Article LXII 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 thirteen minutes past ten o'clock A.M., as follows to wit *(yeas 39 - nays 0)* **[Yeas and Nays No. 57]:**

**YEAS.**
**Barrett, Michael J. Knapik, Michael R.**
**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.**

**Clark, Katherine M. Murray, Therese**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. 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.**

**The yeas and nays having been completed at sixteen 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.**
**Engrossed Bills.**
**The following engrossed bills (both of which originated in the House), 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:**
**Authorizing the town of Framingham to place municipal charge liens on certain properties in the town of Framingham for nonpayment of any local charges, fee or fine (see House, No. 3358); and**
**Establishing a sick leave bank for Richard Slayman, an employee of the Massachusetts Department of Transportation (see House, No. 3378, amended).**
**Orders of the Day.**
**The Orders of the Day were further considered as follows:**
**The House Bill making appropriations for the fiscal year two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.**
**Ms. Candaras and Mr. Eldridge moved that the proposed new text be amended in section 2, by inserting after item 7007-0032 the following item:**
**"7002-0035 For a reserve to support the commonwealth's defense sector initiatives; provided, that the executive office may allocate funds to Massachusetts development and finance agency for this purpose.....$350,000".**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eighteen minutes before eleven o'clock A.M., on motion of Ms. Candaras, as follows, to wit *(yeas 38 — nays 1)* [Yeas and Nays No. 58]:**
**YEAS.**
**Barrett, Michael J. Knapik, Michael R.**
**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.**
**Clark, Katherine M. Murray, Therese**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Jehlen, Patricia D. Tarr, Bruce E.**
**Joyce, Brian A. Timilty, James E.**
**Keenan, John F. Welch, James T.**
**Kennedy, Thomas P. Wolf, Daniel A. − 38.**
**NAYS.**
**Hedlund, Robert L. − 1.**

**The yeas and nays having been completed at thirteen minutes before eleven o'clock A.M., the amendment was adopted.**
**Ms. Clark, Ms. Donoghue and Messrs. Finegold, Joyce and Petruccelli moved that the proposed new text be amended by inserting the text of Senate document numbered 1834, relative to protecting our communities.**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at one minute before eleven o'clock A.M., on motion of Ms. Clark, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 59]:**
**YEAS.**
**Barrett, Michael J. Knapik, Michael R.**
**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.**
**Clark, Katherine M. Murray, Therese**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. 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.**

**The yeas and nays having been completed at one minute past eleven o'clock P.M., the amendment was adopted.**
**Mr. Rosenberg moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by striking out item 8315-1020 and inserting in place thereof the following item:-**
**"8315-1020 For the department of public safety which may expend not more than $7,996,573 in revenues collected from fees for annual elevator inspections, amusement park ride inspections and overtime elevator inspections; provided, that funds shall be expended for the operation of the department and to address the existing elevator inspection backlog and to defray the costs associated with performing overtime elevator inspections; provided further, that funds shall be expended for escalator inspections; provided further, that the department shall provide a full waiver of the inspection fee for an individual who requires a wheelchair lift as a medical necessity and whose annual income does not exceed the maximum allowable federal Supplemental Security Income benefit, or $7,236 a year, whichever is greater; provided further, that the department shall retain and deposit 40 per cent of the fees collected in excess of $15,436,198; provided further, that if the department projects that total revenues from the fees identified in this item will exceed $15,436,198 the department shall notify the secretary of administration and finance and the house and senate committees on ways and means; 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…….$7,996,573".**
**The amendment was adopted.**
**Mr. Michael O. Moore moved that the proposed new text be amended by inserting, after section ___, the following new section:-**
**"SECTION _____. Chapter 21A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 10H the following section:-**
**Section 10I. (a) Whenever an environmental police officer of the office of law enforcement is incapacitated for duty because of injuries sustained in the performance of duty without fault of the officer, such officer shall be granted leave without loss of pay for the period of such incapacity; provided however, that no such leave shall be granted for any period after such officer has been retired or pensioned in accordance with law or for any period after a physician designated by the director of law enforcement determines that such incapacity no longer exists. All amounts payable under this section shall be paid at the same time and in the same manner as, and for all purposes shall be deemed to be, the regular compensation of such environmental police officer.**
**(b) Where the injury causing the incapacity of an environmental police officer for which the officer is granted a leave without loss of pay and is paid compensation in accordance with the provisions of this section, was caused under circumstances creating a legal liability in some person to pay damages in respect thereof, either the person so injured or the office paying such compensation may proceed to enforce the liability of such person in any court of competent jurisdiction. The sum recovered shall be for the benefit of the office paying such compensation, unless the sum is greater**

**than the compensation paid to the person so injured, in which event the excess shall be retained by or paid to the person so injured. For the purposes of this section, the term "excess"  shall mean the amount by which the total sum received in payment for the injury, exclusive of interest and costs, exceeds the amount paid under this section as compensation to the person so injured. The party bringing the action shall be entitled to any costs recovered by him. Any interest received in such action shall be apportioned between the office and the person so injured in proportion to the amounts received by them respectively, inclusive of interest and costs. The expense of any attorney's fees shall be divided between the office and the person so injured in proportion to the amounts received by them respectively.**

**(c) Whoever intentionally or negligently injures an environmental police officer for which the officer is granted a leave without loss of pay and is paid compensation in accordance with the provisions of this section shall be liable in tort to the office paying such compensation for all costs incurred by such office in replacing such injured environmental police officer which are in excess of the amount of compensation so paid."**

**Pending the question on adoption of the amendment, Mr. Tarr moved that the pending amendment (Michael O. Moore) be amended by inserting, after section __ the following new section:-**

**"SECTION___. Chapter 21A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting in section 10C after the word 'duty' in line 15 the following words: - 'including but not limited to court proceedings'."**

**The further amendment (Tarr) was rejected.**

**The pending amendment (Michael O. Moore) was then rejected.**

**Mr. Finegold moved that the proposed new text be amended in section 2, in item 1599-0026, by striking out the figure "3,000,000" and inserting in place thereof the following figure:- "$4,000,000"; and by striking out the figure "$7,000,000" and inserting in place thereof the following figure:- "$8,000,000".**

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

**Messrs. Tarr, Michael O. Moore, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting after section _ the following new sections:-**

**"SECTION _. Chapter 6 of the General Laws, as appearing in the 2010 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;**

**In developing and implementing said rules and regulations, the oversight board shall consult with the forensic science advisory board and any other relevant state, local and federal officials."**

**After debate, 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 4 — nays 34)* [Yeas and Nays No. 60]:**

**YEAS.**

**Hedlund, Robert L. Ross, Richard J.**

**Knapik, Michael R. Tarr, Bruce E. − 4.**

**NAYS.**

**Barrett, Michael J. Keenan, John F.**

**Brewer, Stephen M. Kennedy**
**Thomas P.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Ha**
**riette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, K**
**therine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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. Timilty, James E.**
**Jehlen, Patricia D. Welch, James T.**
**Joyce, Brian A. Wolf, Daniel A. − 34.**

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

**There being no objection, the following amendments were considered as one and adopted, to wit:**
**Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting, in section 128, after the word "states" in line 1782, the following:- "; (x) tax rates necessary to ensure economic competitiveness with peer and competitor states; (xi) tax rates necessary to avoid destabilization of household budgets or undue hardships for citizens; and (xii) tax rates necessary to foster and encourage robust private sector investment in capital equipment and the state's work force".**
**The amendment was adopted.**
**Mr. Pacheco moved that the proposed new text be amended by inserting after section xxx the following section:- "SECTION XXX. Item 7002-0015 of section 2B of chapter 130 of the acts of 2008 is hereby amended by striking out, in lines 79 to 100, inclusive, the words 'and managed by a board of directors consisting of 13 members: 1 of whom shall be the chancellor of the University of Massachusetts at Dartmouth or his designee, 1 of whom shall be the president of Bridgewater State College or his designee, 1 of whom shall be the president of the Massachusetts Maritime Academy or his designee, 1 of whom shall be the president of Massasoit Community College or his designee, 1 of whom shall be the president of Cape Cod Community College or his designee, 1 of whom shall be the president of Bristol Community College or his designee, 1 of whom shall be the president of Wheaton College or his designee, 1 of whom shall be the commissioner of mental retardation or his designee, 1 of whom shall be the president of the Massachusetts Federationof Teachers or his designee, 1 of whom shall be the president of the Massachusetts Teachers Association or his designee, 1 of whom shall be the president of the Massachusetts AFL-CIO or his designee, 1 of whom shall be the president of the Taunton Area Chamber of Commerce or his designee, and 1 of whom shall be the director of Southeastern Regional Planning and Economic District or his designee'."; and by inserting after section xxx the following section:- SECTION XXX. Subsection (a) of section 9 of chapter 419 of the acts of 2008 is hereby amended by striking out the first and second sentences and inserting in place thereof the following 2 sentences:- There shall be established an education and training collaborative to develop, in conjunction with the Taunton Development Corporation, the regional education, training and skills alliance center established in this section and the life sciences center established in item 7002-0015 of section 2B of chapter 130 of the acts of 2008 . The collaborative shall be managed by a board of directors which shall include: the presidents of Bridgewater State University, Massasoit Community College, Bristol Community College, Wheaton College, the Massachusetts Federation of Teachers, the Massachusetts Teachers Association, the Massachusetts AFL-CIO and the Taunton Area Chamber of Commerce or their designees; the chancellor of the University of Massachusetts at Dartmouth or the chancellor's designee; the commissioner of developmental disabilities or the commissioner's designee; and the director of the Southeastern Regional Planning and Economic Development District or the director's designee.".**
**The amendment was adopted.**
**Mr. Wolf moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following: "provided further, that the office, in collaboration with the official sponsor of the event, state, regional and local agencies and cities and towns, shall designate and mark the Pan Mass Challenge bicycle route by means of signs bearing the official logo of the event; provided further, that $15,000 shall be expended for the purchase, post fabrication and installation of Pan Mass signs along the Pan Mass route from both Bourne to Provincetown and from Bourne to Wellesley".**
**The amendment was adopted.**
**Mr. Tarr and Ms. O'Connor Ives moved that the proposed new text be amended by inserting after section _ the following**

**sections:-**
**"SECTION x. Upon the effective date of this act, any monies remaining in the Supplemental Reserve Fund to Ensure Fiscal Stability reserve fund established by section 5 of chapter 108 of the acts of 2006 shall be transferred to the Pentucket Regional School District Middle and High School Complex Capital Fund as established by section 2.**
**SECTION xx. Notwithstanding any general or special law to the contrary, there is hereby established a separate fund to be known as the Pentucket Regional School District Middle and High School Complex Capital Fund into which shall be deposited all monies held in the Supplemental Reserve Fund to Ensure Fiscal Stability, established by section 5 of chapter 108 of the acts of 2006, for the purpose of capital expenditures for the Pentucket Regional School District middle and high school complex located in the town of West Newbury. The Pentucket regional school committee shall be the custodian of the fund and may authorize disbursements from the fund for capital purposes that the committee considers appropriate to provide for the middle and high school complex. Any income derived from the investment or reinvestment of amounts held in the fund shall remain with and become part of the fund.**
**SECTION xxx. Chapter 108 of the acts of 2006 is hereby repealed.**
**SECTION xxxx. The Pentucket Regional School Committee may dissolve the Pentucket Regional School District Middle and High School Complex Capital Fund and may authorize disbursements from the fund for operating purposes that the committee considers appropriate to maintain and continue regional school district operations.**
**SECTION xxxxx. Section xxxx shall take effect on July 1, 2018."**
**The amendment was adopted.**
**Ms. Clark, Mr. Eldridge and Ms. Candaras moved that the proposed new text be amended in section 2, in item 0321-2205, by striking out the figure "$1,140,000" and inserting in place thereof the following figure:- "$1,299,000".**
**The amendment was adopted.**
**Mr. Petruccelli, Ms. Candaras, Mr. Knapik, Ms. Lovely and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 7000-9401, by striking out the figure "35.9" and inserting in place thereof the following figure:- "38.3"; and in said section 2, in said item 7000-9401 by striking out the figure "$9,231,475" and inserting in place thereof the following figure "$9,731,475".**
**The amendment was adopted.**
**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 adopted.**
**Mr. Rodrigues moved that the proposed new text be amended by inserting after section 139 the following section: "SECTION 139A. 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 one-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. 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 2013 is less than the amount of the tax receipts paid by the electric generating station in 2012. Prior to 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; provided however, that 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.".**
**The amendment was adopted.**
**Mr. Michael O. Moore, Ms. Spilka, Ms. Chandler, Mr. Rush and Ms. Flanagan moved that the proposed new text be amended in section 2, in item 7003-0605, by striking out the figure "500,000" and inserting in place thereof the following figure:- "$1,000,000".**
**The amendment was adopted.**
**Ms. Creem and 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:- "; and provided further, that $20,000 be expended for the Zamir Chorale of Boston's musical and educational organization"; and in said item, by striking out the figure "$5,924,728" and inserting in place thereof the following figure:- "$5,944,728".**
**The amendment was adopted.**
**Messrs. Welch and Knapik and Ms. Candaras moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting at the end thereof the following:- "; provided that not less than $250,000 shall be expended for the New England Farm Workers' Council"; and in said item 7003-1206 by striking out the figure "$600,000" and inserting in place thereof the following figure:- "$850,000".**
**The amendment was adopted.**
**Messrs. Wolf and Downing, Ms. Chang-Diaz, Mr. Donnelly, Ms. Candaras, Ms. Creem and Messrs. Brownsberger, Michael O. Moore, Knapik, McGee and Welch moved that the proposed new text be amended in section 2, in item 7003-1206, by striking out the figure "600,000" and inserting in place thereof the figure: "750,000".**
**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. Barrett, Ms. Flanagan and Messrs. Eldridge and Pacheco 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 $2,000,000 for cities and towns hosting department of correction facilities; provided further, that of such $2,000,000, no**

**city or town hosting a department of correction facility shall receive more than $800,000; and provided further, that of such $2,000,000, 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 in said section 2 in said item 8900-0001 by striking out the figure "$540,651,975" and inserting in place thereof the following figure:- $542,651,975".**

**The amendment was adopted.**

**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 not less than $25,000 shall be provided for a program for ex-offenders and chronically homeless men to recover from drug and alcohol addiction while learning farm skills; and in said item, by striking out the figure "$540,651,975"and inserting in place thereof the figure:- "$540,676,975".**

**The amendment was adopted.**

**Messrs. Tarr, Hedlund, Ross, Knapik and Brownsberger moved that the proposed new text be amended by inserting after section _ the following section:-**

**"SECTION _. Section 98A of chapter 41 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 1, after the word 'to' the following words:- 'issue a citation for a civil motor violation or'; and further by inserting, in line 5, after the word "to" the following words:- 'issue a citation for a civil motor violation or to'; and by striking, in line 6, the following words:- 'so arrested'."**

**The amendment was adopted.**

**Mr. Downing moved that the proposed new text be amended, in section 2, in item 8910-0145, by inserting at the end thereof the following: "provided that $1,400,000 may be expended to staff the Berkshire County regional lockup and re-entry facility, including expanded capacity for the FULL program"; and in said item by striking out the figure "15,491,155" and inserting in place thereof the figure "16,891,155".**

**The amendment was adopted.**

**Ms. Chang-Diaz and Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 8800-0001, 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 2014;"; and in said line item, by striking out the figure "$540,651,975" and inserting in place thereof the following figure:- "$540,851,975".**

**The amendment was adopted.**

**Messrs. Petruccelli and Michael O. Moore moved that the proposed new text be amended by inserting, at the end thereof the following new section:-**

**"Section XX. The Department of Transportation shall report to the joint committee on transportation a transition plan for the existing toll collection workforce before the Department implements an open road tolling system. The report shall include a plan to offer training to such employees for new positions available in the department under any open road or free-flow system. Said report shall be filed with said joint committee on or before January 1, 2014.".**

**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:- "provided further that $194,364 be expended to ensure continued operation of job access transportation services provided by berkshire regional transit authority"; and in said item, by striking out the figure "$244,922,851" and inserting in place thereof the figure "$245,117,215".**

**The amendment was adopted.**

**Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended by inserting after section 139 the following section:-**

**"SECTION 139A. Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority, in consultation with the Massachusetts office on disability, shall investigate alternatives to the current eligibility review for The Ride for those living in nursing homes and other institutional settings. The authority shall review feasible alternatives that would reduce the burdens associated with applying for eligibility for those living in nursing homes and other institutional settings, including, but not be limited to, eliminating the required trip to The Ride eligibility center, holding eligibility screenings in various locations, waiving the in-person interview for residents of certain facilities and holding eligibility screenings at nursing homes and other institutional settings. The authority shall submit its findings to the joint committee on elder affairs and the joint committee on transportation not later than January 1, 2014".**

**The amendment was adopted.**

**Mr. Richard T. Moore moved that the proposed new text be amended in section 67 by inserting at the end thereof the following:-**

**"Any fees associated with applying for an amended license for the purpose of obtaining a veteran's indicator shall be equal to or less than the fee required for a license without such designation, and may be waived for any veteran over the age of 70."; and in section 68 by inserting at the end thereof the following:- 'Any fees associated with applying for an amended identification for the purpose of obtaining a veteran's indicator shall be equal to or less than the fee required for an indentification without such designation, and may be waived for any veteran over the age of 70.'."**

**The amendment was adopted.**

**Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended by inserting after section 90 the following section:-**

**"SECTION 90A. Chapter 161A of the General Laws is hereby amended by adding the following section:-**
**Section 50. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:**
**'Paratransit services', transportation services provided to individuals with disabilities who, as the result of a physical or mental impairment, including vision impairment, are unable to board, ride or disembark from a vehicle in the authority's regular transportation system without the assistance of another individual, except the operator of a wheelchair lift or other boarding assistance device.**
**'Transportation service provider', any entity that provides paratransit services, or any aspect of paratransit services, to the users of paratransit services within the authority's service area.**
**(b) The authority shall attempt to provide better paratransit services at an efficient rate by contracting with transportation service providers. The contracts shall reduce the operating costs of providing paratransit services, while maintaining or improving the level of service. The authority may enter into contracts for specific aspects of paratransit services and for paratransit services in specific geographic areas.**
**(c) The authority shall draft uniform standards which shall apply to all transportation service provider contracts. The uniform standards shall be approved by the office of the attorney general and the office of inspector general. The uniform standards shall include, but not be limited to, provisions related to: the proper use of contract funds; proper accounting procedures; personnel practices; purchasing procedures; and conflict of interest rules.**
**(d) As a condition to its receipt of funds, each transportation service provider shall agree to follow the uniform standards. The authority shall establish, in each transportation service provider's contract, performance criteria, which shall be specific to the transportation service provider.**
**(e) The authority shall solicit paratransit service contracts through a request for proposals. If the authority determines through the request for proposals process that no proposal meets the requirements of this subsection, then the authority shall not award a contract at that time but may issue a new request for proposals in the future, at its discretion. The authority shall accept each proposal that meets all of the following criteria:**
**(i) the proposal, when fully implemented, shall reduce the operating expenses associated with providing paratransit services;**
**(ii) the proposal, when fully implemented, shall not: (A) reduce the level of paratransit services or the reliability of paratransit services currently provided by the authority; (B) increase the costs of a trip to paratransit service users, except through the normal rate setting process of the authority; or (C) increase the burden to the community; and**
**(iii) the proposal addresses factors that affect the community including, but not limited to: (A) safety requirements, including driver qualifications, vehicle safety and any relevant permits or licenses; (B) insurance coverage on the transportation service provider, the vehicles used by the transportation service provider, and the drivers or subcontractors employed by the transportation service provider; and (C) the compensation and benefits that drivers receive, including whether drivers typically derive income from gratuities from riders and how that loss of income shall be addressed under the proposed contract.**
**If 2 or more otherwise acceptable proposals be incompatible, the authority shall choose the proposal that provides the greatest overall value to the commonwealth.**
**(f) All contracts entered into under this section shall be reviewed by the office of inspector general and shall be for terms not longer than 5 years; provided, however, that the contract may provide for the renewal of the contract at the discretion of the authority; provided further, that renewals shall be for terms not longer than 10 years; and provided further, that nothing in this subsection shall preclude a transportation service provider from re-applying to provide services under a new contract.**
**(g) Transportation service providers may enter into additional contracts with the commonwealth or any regional transit authorities to provide additional services."; and by inserting after section 139 the following section:-**
**"SECTION 139A. Notwithstanding any general or special law to the contrary, the Massachusetts Bay Transportation Authority shall, not later than July 1, 2014, publish and release a solicitation for paratransit service contracts under section 50 of chapter 161A of the General Laws.**
**The Massachusetts Bay Transportation Authority may implement the bidding process as a phased, multi-step process, which may include a request for information that would inform the development of a request for proposals.".**
**The amendment was adopted.**
**Mr. Keenan, Ms. Chang-Diaz and Messrs. Rodrigues, Brownsberger, Wolf, Barrett, McGee, Michael O. Moore and Rosenberg moved that the proposed new text be amended in section 2, in item 4510-0600, by striking out the figure "$3,443,439" and inserting in place thereof the following figure:- "$4,391,414".**
**The amendment was adopted.**
**Mr. Keenan, Ms. Chang-Diaz, Messrs. Rodrigues and Brownsberger, Ms. Jehlen and Messrs. Wolf, Michael O. Moore and Rosenberg moved that the proposed new text be amended in section 2, in item 4510-0710, by striking out the figure "$6,526,782" and inserting in place thereof the following figure:- "$7,826,326".**
**The amendment was adopted.**
**Mr. Petruccelli moved that the proposed new text be amended by inserting, after section 145, the following new section:-**
**"SECTION XX. Subsection (e) of section 9D of Chapter 118E of the General Laws, as appearing in the 2010 official edition, is hereby amended by inserting the following paragraph:-**
**(6) The executive office shall direct MassHealth to provide each beneficiary age 65 and over with an annual notice of the**

**options for enrolling in voluntary programs including Program of All Inclusive Care for the Elderly (PACE) plans, SCO plans, Frail Elder Home and Community Based Waiver Program or anyother voluntary elected benefit to which they are entitled to supplement or replace their MassHealth benefits. Provided that MassHealth receives approval from the Centers for Medicare and Medicaid Services, MassHealth shall arrange that such annual notice include the names and contact information for the program providers, general contract information for MassHealth and general description of the benefits of joining particular programs in clear and simple language in method to request for the same information in a language other than English. Such notice shall include a method for the beneficiary to indicate interest in receiving additional information or any programs identified as of interest to them. A draft of the proposed language and format for providing information to beneficiaries will be circulated to the providers contracted to provide each of these programs for review and comment prior to finalization. In addition the division will work with the program providers and other appropriate stakeholders to assess whether and to what extent barriers to program enrollment shall be alleviated through modifications to the program and or the enrollment process."**

**The amendment was adopted.**

**Messrs. Joyce and Eldridge and Ms. Jehlen 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 and Ms. Jehlen 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.**

**Messrs. Joyce and Tarr moved that the proposed new text be amended in section 2, in item 4513-1111, by inserting the following:- "; provided further, that $50,000 shall be expended for education and support of patients diagnosed with PKU or related disorders and their families through a grant to NECPAD".**

**The amendment was adopted.**

**Messrs. Joyce and Eldridge and Ms. Jehlen 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. The use of any aversive conditioning device used to administer an electrical shock or other noxious stimuli to a student to modify undesirable behavioral characteristics shall be limited to devices tested for safety and efficacy and approved for such use by the United States Food and Drug Administration where such approval is required by Federal regulation.".**

**The amendment was adopted.**

**Messrs. Keenan, Wolf, Ross and McGee and Ms. Clark moved that the proposed new text be amended in section 2, in item 3000-5000, by striking out the figure "$8,000,000" and inserting in place thereof the following figure:- "$8,200,000".**

**The amendment was adopted.**

**Mr. Keenan, Ms. Clark, Ms. Lovely and Messrs. Eldridge, Donnelly and Tarr moved that the proposed new text be amended by inserting after section ___ the following new section:**

**"SECTION X. The Division of Insurance and the Office of Medicaid, pursuant to sections 254 and 265 of Chapter 224 of the Acts of 2012, shall implement regulations by October 1, 2013 that will include (1) a process for carriers and the Office of Medicaid's programs to certify and specifically outline how their plans are compliant with the applicable federal and state mental health parity laws; (2) a requirement that carriers notify consumers of their rights under the applicable federal and state parity laws including their right to file a complaint/grievance with the state alleging noncompliance and the avenues to file such a complaint; and (3) details on how the Division of Insurance and the Office of Medicaid will review consumer complaints and grievances alleging carrier noncompliance with applicable federal and state mental**

**health parity laws, including timelines."**
**The amendment was adopted.**
**Ms. Jehlen, Messrs. Brownsberger and Eldridge and Ms. Creem moved that the proposed new text be amended by inserting the following new section:-**
**"SECTION . There shall be a special commission to investigate, analyze and study the health, housing, financial, psycho-social and long-term care needs of older lesbian, gay, bisexual and transgender (LGBT) adults and their caregivers and to make recommendations to improve access to benefits and services where appropriate and necessary. The special commission shall consist of twenty members including the House and Senate chairs of the Joint Committee on Elder Affairs, or their designees, who shall serve as co-chairs; the secretary of elder affairs, or a designee; the secretary of housing and community development, or a designee; the commissioner of public health, or a designee; the director of the LGBT Aging Project, or a designee; the director of Fenway Health, or a designee; the executive director of GLAD, or a designee; a representative of the National Association of HIV Over Fifty; the executive director of MassEquality or a designee; the executive director of the Massachusetts Home Care Association, or a designee; the director of AARP Massachusetts, or a designee; the executive director of the Massachusetts Association of Councils on Aging Inc., or a designee; the director of the Massachusetts Nursing Home Federation, or a designee; the director of the Massachusetts Council of Home Care Aides, or a designee; and five members appointed by the governor, one of whom shall be a member of the Massachusetts bar who practices elder law; one of whom shall be an expert in LGBT public policy or research; and three LGBT elders, at least one of whom shall be transgender. The Governor's appointees shall insure at least one representative is from Cape Cod, as well as the western and central portions of the state.**
**The commission shall also examine the impact of state policies and regulations on LGBT older adults and make recommendations to ensure equality of access, treatment, care and benefits. The commission shall examine strategies to increase provider awareness of the needs of LGBT older adults and their caregivers and to improve the competence of and access to treatment, services and on-going care, including preventive care. The commission shall assess the funding and programming needed to enhance services to the growing population of LGBT older adults and to examine best practices for increasing access, reducing isolation, preventing abuse and exploitation, promoting independence and self-determination, strengthening caregiving, eliminating disparities, and improving quality of life.**
**In particular, the commission shall examine the extent to which policies and practices, or the absence thereof, promote the premature admission of LGBT older adults to institutional care and to recommend, as appropriate and necessary, lower-cost and culturally appropriate home and community-based alternatives. The commission shall also examine the feasibility of developing statewide training curricula to improve provider competency in the delivery of health, housing and long-term support services to older LGBTs and their caregivers, as well as outreach protocols to reduce apprehension among LGBT elders and caregivers of mainstream providers. The commission, in formulating its recommendations, shall take into account the best policies and practices in other states and jurisdictions. The commission shall be empowered to hold regular public meetings, fact-finding hearings and other public forums as it considers necessary. The commission shall file its recommendations, together with recommendations for legislation, if any, with the clerks of the House of Representatives and Senate within 12 months of the first convening of the commission."**
**The amendment was adopted.**
**Ms. Spilka and Mr. Tarr moved that the proposed new text be amended in section 2, in item 4403-2000, by striking the words "60 days " and inserting in place thereof the following words:- "90 days".**
**The amendment was adopted.**
**Ms. Spilka and Mr. Wolf moved that the proposed new text be amended in section 2, in item 4403-2000, by inserting after the words "categorically and financially eligible for transitional aid to families with dependent children benefits;" the following new words:- "provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss;".**
**The amendment was adopted.**
**Ms. Chandler, Messrs. Eldridge and Joyce and Ms. Spilka moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. The department of public health's office of oral health and the center for health information and analysis shall submit a report no later than December 31, 2013 to 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, the chair of the House Committee on Ways and Means, and the Senate Chair of the Committee on Ways and Means on the oral health care needs of residents of the Commonwealth living with disabilities. The report shall include, but need not be limited to, the following information: (i) barriers to accessing dental health care for persons living with disabilities; (ii) the capacity of the current dental health care system to address the oral health needs of persons living with disabilities, with a focus on the availability of specialized equipment, the extent of provider training to treat this population, and any geographic disparities that may exist; and (ii) a projection of what additional resources, if any, are needed to fully address this need.".**
**The amendment was adopted.**
**Mr. Welch moved that the proposed new text be amended by inserting, after section XX, the following new section:-**
**"SECTION XX. Chapter 224 of the Acts of 2012 is hereby amended in subsection (c)(1) of Section 241, by striking the word 'reimbursements' and inserting in place thereof the following:- 'gross patient service revenue'; and by inserting**

**after the words 'Title XIX' the following:- 'or Title XXI.'."**
**The amendment was adopted.**
**Ms. Spilka, Messrs. Donnelly, Rodrigues and Brownsberger, Ms. Lovely and Messrs. Wolf, Keenan and Eldridge moved that the proposed new text be amended in section 2 by inserting the following item:**
**"xxxx-xxxx For the establishment and operation of family resource centers to provide community based services to families, including families with children requiring assistance and to provide a mechanism to the juvenile court to refer families to community based services pursuant to section 16U of chapter 6A and section 39E of chapter 119 of the General Laws ..... $1,100,000".**
**The amendment was adopted.**
**Ms. Lovely, Mr. Knapik, Ms. Clark and Messrs. Joyce, Keenan, Eldridge, Montigny, Finegold and Barrett moved that the proposed new text be amended in section 2, in item 5920-5000, by striking out the figure "$6,000,000 " and inserting in place thereof the following figure:- "$7,000,000".**
**The amendment was adopted.**
**Mr. Michael O. Moore and Ms. Chandler moved that the proposed new text be amended by inserting after section 139 the following section:-**
**"SECTION 139A. (a) Notwithstanding sections 32 to 37, inclusive, of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner of capital asset management and maintenance may convey in fee simple a certain parcel of land and any improvements and structures located thereon, which is the site of the former National Guard armory, located at 44 Salisbury Street in the city of Worcester bounded in part by Grove street and Salisbury street to Veterans Inc. for the construction of additional housing for homeless veterans and providing services related thereto. The exact boundaries of the parcel shall be determined by the commissioner of capital asset management and maintenance after the completion of a land survey. The consideration for the conveyance shall be $1. The parcel shall be conveyed by deed without warranties or representations by the commonwealth.**
**(b) The commissioner of capital asset management and maintenance shall establish the value of the property for both the highest and best use of the property as currently encumbered and for the purposes described in subsection (a). The commissioner shall place notification in the central register of the conveyance, the amount of such transaction and the difference between the calculated value and the price received.**
**(c) Notwithstanding any general or special law to the contrary, Veterans Inc. shall be responsible for all costs and expenses including, but not limited to, costs associated with any engineering, appraisals, surveys and deed preparation related to the conveyance authorized under this act as such costs may be determined by the commissioner of capital asset management and maintenance.**
**(d) The deed or other instrument conveying the property described in subsection (a) to Veterans Inc. shall provide that if for any reason the property ceases to be used solely for the purposes described in subsection (a), then following a written notice and an opportunity to cure in accordance with a procedure to be specified in the deed conveying the property and upon the recording of a notice by the commissioner of capital asset management and maintenance with the Worcester district registry of deeds, title to the property shall revert to the commonwealth under the care and control of the division of capital asset management and maintenance and any further disposition shall be subject to sections 32 to 37, inclusive, of chapter 7C of the General Laws.".**
**The amendment was adopted.**
**Ms. Lovely, Ms. Chang-Diaz, Messrs. Knapik and Joyce, Ms. Clark, Messrs. Rodrigues, Keenan and Eldridge, Ms. Spilka and Mr. Welch moved that the proposed new text be amended, in section 2, in item 5920-3000, by striking out the figure "$49,504,298" and inserting in place thereof the following figure:- "$51,504,298".**
**The amendment was adopted.**
**Mr. Rush moved that the proposed new text be amended in section 2, in item 4800-0038, by inserting after the word "program", in line 21, the following words:- "; provided further, that not less than $ 75,000 shall be expended for a contract with Julie's Family Learning Program in the South Boston section of the city of Boston"; and in said section 2, in said item 4800-0038, by striking out the figure "$249,286,051" and inserting in place thereof the following figure:- "$249,361,051".**
**The amendment was adopted.**
**Mr. Rush moved that the proposed new text be amended in section 2, in item 7002-0021, by inserting at the end thereof the following: "and provided further, that not less than $500,000 shall be awarded to the YMCA of Greater Boston the West Roxbury YMCA renovations and expansion project".**
**The amendment was adopted.**
**Mr. Rush and Mr. DiDomenico 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 $10,000 shall be expended for the Stand Up and Play Foundation Boston Chapter for rehabilitative adaptive equipment for veterans"; and in said item, by striking out the figure "$2,541,487" and inserting in place thereof the figure "$2,551,487".**
**The amendment was adopted.**
**Messrs. Montigny and Timilty moved that the proposed new text be amended in section 2, in item 5920-3010, by striking out the figure "$4,613,086" and inserting in place thereof the following figure:- "$5,613,086"; by striking out the words, "; provided further, that the department shall expend not less than $3,000,000 on the Children's Autism Spectrum Disorder Waiver"; and inserting in place thereof the following words, "; provided further, that the department shall**

**expend not less than $4,000,000 on the Children's Autism Spectrum Disorder Waiver"; and by inserting after the words "under said waiver" the following words, "including but not limited to establishing at least one regularly scheduled enrollment period per year".**

**The amendment was adopted.**

**Messrs. Barrett, Brownsberger and Eldridge moved that the proposed new text be amended by inserting, after section ____, the following new section:-**

**"SECTION ____. Chapter 6A of the General Laws is hereby amended by striking out section 16O, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:-**

**Section 16O. (a) There shall be a health disparities council located within, but not subject to the control of, the executive office of health and human services. The council shall make recommendations to reduce and eliminate disparities in access to quality health care and health outcomes based on racial, ethnic and disability status. This shall include disparities related to breast, cervical, prostate and colorectal cancers, strokes, and heart attacks, heart disease, diabetes, infant mortality, lupus, HIV/AIDS, disability status, asthma and other respiratory illnesses. The council shall make recommendations for ways to address subpopulations with the highest levels of disparity in health care access and outcomes. The council may consider education, environment, housing, employment and other relevant determinants contributing to these disparities.**

**The council shall make recommendations for development and implementation of quality metrics to be used to better understand the causes of health disparities and strategies for addressing these disparities. The council shall make recommendations to increase diversity in the health care workforce so that it includes more people from racial, ethnic and disability populations. This shall include increasing diversity in doctors, nurses and physician assistants.**

**(b) The council shall consist of 43 members and shall be comprised of: 3 members of the house of representatives, 1 of whom shall be designated as co-chair by the speaker; 3 members of the senate, 1 of whom shall be designated as co-chair by the senate president; the secretary of health and human services or his designee, who shall serve ex officio; the commissioner of public health or his designee, who shall serve ex officio; the director of multicultural health in the department of public health or his designee, who shall serve ex officio; the director of Medicaid or his designee, who shall serve ex officio; the commissioner of the Massachusetts Rehabilitation Commission or his designee, who shall serve ex officio; the commissioner of the department of developmental services or his designee, who shall serve ex officio; the commissioner of the Massachusetts commission for the blind or her designee, who shall serve ex officio; the commissioner of the Massachusetts commission for the deaf and hard of hearing or her designee, who shall serve ex officio; the attorney general or her designee, who shall serve ex officio; 8 persons from communities disproportionately affected by health disparities, 4 of whom shall be appointed by the speaker and 4 of whom shall be appointed by the senate president; and 18 persons appointed by the co-chairs, 1 from each list of nominees submitted by each of the following organizations: the American Cancer Society, Massachusetts Division, Inc.; the American Heart Association, Massachusetts Affiliate, Inc.; the Massachusetts General Hospital; Brigham and Women's/Faulkner Hospitals, Inc.; the Dana Farber Cancer Institute, Inc.; the Massachusetts League of Community Health Centers, Inc.; the Massachusetts Medical Society; the Massachusetts Hospital Association; the Boston public health commission, established in chapter 147 of the acts of 1995; the health department of the city of Springfield; the health department of the city of Worcester; the Massachusetts School Nurse Organization, Inc.; the Massachusetts Association of Public Health Nurses, Inc.; the Massachusetts Association of Health Plans, Inc.; Blue Cross Blue Shield of Massachusetts, Inc.; the Program to Eliminate Health Disparities at the Harvard School of Public Health; the Boston Medical Center Corporation; Massachusetts Advocates for Children; the Disability Policy Consortium; and the Massachusetts Public Health Association. The representatives of nongovernmental organizations shall serve staggered 3-year terms. Vacancies of unexpired terms shall be filled within 60 days by the appropriate appointing authority.**

**(c) The council shall meet at least bimonthly, at other times as determined by its rules, and when requested either by both co-chairs or by 1 co-chair and any 9 members. Council members with disabilities shall be provided reasonable accommodations based on identified needs.**

**(d) The council shall submit a report annually by July 1 to the governor, the health care cost and quality council and the general court, by filing the same with the clerks of the senate and house of representatives, the joint committee on health care financing and the joint committee on public health. The report shall include: (i) data on disparities in health care access and health outcomes; (ii) data on diversity in the health care workforce; (iii) recommendations for designing, implementing and improving programs and services; (iv) proposals for statutory and regulatory changes to reduce and eliminate disparities in access to quality health care services and health outcomes in the commonwealth; and (v) recommendations for improving diversity and cultural competency in the health care workforce.".**

**The amendment was adopted.**

**Ms. Spilka, Messrs. Rodrigues and Kennedy, Ms. Jehlen, Ms. Clark, Messrs. Knapik, Joyce and Wolf, Ms. Lovely, Messrs. Michael O. Moore, Eldridge, Welch and Montigny, Ms. Creem and Messrs. Brownsberger, McGee and Pacheco moved that the proposed new text be amended, in section 2, in item 4120-0200, by striking out the figure "$4,530,018" and inserting in place thereof the following figure:- "$5,630,018".**

**The amendment was adopted.**

**Messrs. Barrett and Rosenberg, Ms. Creem, Ms. Candaras, Mr. Brownsberger, Ms. Jehlen and Messrs. McGee and Rush moved that the proposed new text be amended, in section 2, in item 4800-0015, by striking after "receive such services," the following:- "provided further, that the department shall report biannually to the house and senate committees on**

**ways and means and the joint committee on children, families and persons with disabilities on the department's policy and plan for eliminating its backlog of administrative hearing requests; provided further, that each report shall: (i) include a benchmark for the number of fair hearing requests to be closed in the upcoming quarter; and (ii) identify the number of fair hearing requests that are pending and the number of fair hearing requests that are pending for more than 180 days as of the conclusion of the most recent quarter; provided further, that for the purpose of this allocation only, "the department's fair hearing backlog" shall mean those cases pending for more than 180 days from the date of the hearing request" and inserting in place thereof the following:- "provided further, that not later than September 13, 2013 the department shall promulgate and implement regulations which shall ensure that the department shall maintain a timely, independent and fair administrative hearing system; provided further, that the department shall report to the house and senate committees on ways and means and joint committee on children, families and persons with disabilities on December 31, 2013 and March 31, 2014, a) on the fair hearing requests filed in FY 2014, stating for each hearing request using non-identifying information: 1) the subject matter of the appeal; 2) the number of days between the hearing request and the first day of the hearing; 3) the number of days between the first day of the hearing and the hearing officer's decision; 4) the number of days between the hearing officer's decision and the agency's final decision; 5) the number of days of continuance granted at the appellant's request; 6) the number of days of continuance granted at DCF's or the hearing officer's request (specifying which); 7) whether the departmental decision that was the subject of the appeal was affirmed or reversed; and b) on fair hearing requests filed prior to fiscal year 2014 which are pending for more than 180 days stating the number of such cases, how many of them have been heard but not decided, and how many of them have been decided by the hearing officer but not yet issued as a final agency decision".**

**The amendment was adopted.**

**Mr. Welch moved that the proposed new text be amended in section 2, in item 4510-0100, by inserting at the end thereof the following: "; provided, that the department shall expend no less than $625,000 on the Catastrophic Illness in Children Relief Fund established in section 2ZZ of chapter 29 of the General Laws"; and by striking out the figure "$18,171,603" and inserting in place thereof the following figure:- "$18,796,603".**

**The amendment was adopted.**

**Ms. Clark moved that the proposed new text be amended in section 2, in item 1410-1616, by adding at the end thereof the following:- "; provided further, that no less than $15,000 shall be expended for the Vietnam Veterans Moving Wall project in Malden"; and by striking out the figure "$160,000" and inserting in place thereof the figure:- "$175,000".**

**The amendment was adopted.**

**Ms. Chang-Diaz and Messrs. Wolf and Michael O. Moore moved that the proposed new text be amended in section 2, in item 4510-0110, by inserting at the end thereof 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.**

**Mr. Kennedy moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 4120-4000 the following item:**

**"xxxx-xxxx For Living Independently for Equality, Inc of**
**Brockton……$30,000".**

**The amendment was adopted.**

**Ms. Chang-Diaz and Mr. Eldridge 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. Jehlen and Messrs. Knapik and Barrett moved that the proposed new text be amended in section 2, in item 4125-0100, by striking out the figure "$5,548,474" and inserting in place thereof the figure:- $5,638,374".**

**The amendment was adopted.**

**Mr. Rush, Ms. Clark, Messrs. Donnelly, DiDomenico and Knapik, Ms. O'Connor Ives, Messrs. Montigny, Michael O. Moore, Keenan and McGee, Ms. Spilka and Mr. Tarr moved that the proposed new text be amended in section 2, in item 1410-0075, by striking the figure "$125,000" and inserting in place thereof the following figure:- "$250,000".**

**The amendment was adopted.**

**Mr. McGee, Ms. Jehlen, Messrs. Joyce, DiDomenico, Keenan, Rodrigues and Knapik, Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 4000-0600, by inserting after the words "poverty level", the following: "provided further the Executive Office of Health and Human Services shall complete a rate review of the MassHealth payment rates for Adult Foster Care services and propose revised rates for Adult Foster Care program that are effective December 1, 2013, and submit a report to the House and Senate Ways and Means Committee regarding said review by December 31, 2013.".**

**The amendment was adopted.**

**Ms. Chang-Diaz, Messrs. Wolf, Donnelly and DiDomenico, Ms. Clark, Messrs. Knapik, McGee, Michael O. Moore and Eldridge and Ms. Creem moved that the proposed new text be amended in section 2, in item 7002-0012, by striking out the figure "8,000,000" and inserting in place thereof the figure:- "9,000,000".**

**The amendment was adopted.**

**Mr. Richard T. Moore moved that the proposed new text be amended by inserting at the end thereof the following new**

**sections:-**

**"SECTION X. The General Laws are hereby amended by inserting after chapter 118H the following chapter:-**

**Chapter 118I Childhood Vaccine Program**

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

**'Children', individuals less than 19 years of age.**

**'Estimated vaccine cost', the estimated cost over the course of a fiscal year for the purchase, storage and distribution of vaccines for all children in the commonwealth.**

**'Payments Subject to Surcharge', as defined in section 64 of chapter 118E.**

**'Routine childhood immunizations', immunizations for children until their nineteenth birthday including, but not limited to: (1) the immunizations recommended by the federal Vaccines for Children Program; and (2) any immunizations recommended by the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services.**

**'Surcharge payors', those entities defined as surcharge payors under section 64 of chapter 118E, who made payments subject to surcharge of $1,000,000 or more during the most recent period for which data is available on July 1 of the current fiscal year.**

**'Total non-federal program cost', the estimated annual cost of vaccines needed for routine childhood immunizations for children covered by surcharge payors in the commonwealth less the amount of federal revenue available to the commonwealth for purchase, storage, distribution and administration of such vaccines.**

**Section 2. There shall be established in the commonwealth a separate trust fund to be known as the Vaccine Purchase Trust Fund to support a universal purchase system for childhood vaccines in the commonwealth. The fund shall be expended to cover the costs to purchase, store and distribute vaccines for routine childhood immunizations and to administer the fund and the immunization registry, established under section 24M of chapter 111. The fund shall consist of all monies paid to the commonwealth under section 4 and any interest earnings on such monies. The fund shall be maintained by the commissioner of public health or a designee. The monies shall be expended under the direction of the department of public health, without prior appropriation, solely to cover total non-federal program costs; provided, however, that the amount to be expended for storing and distributing vaccines for routine childhood immunizations, if such costs are not covered by federal contribution, and for the costs of administering the immunization registry, shall not exceed 10 per cent of the total amount of the fund expended for the purchase of vaccines needed for routine childhood immunizations for all children in the commonwealth. Any balance in the fund at the close of a fiscal year shall be available for expenditure in subsequent fiscal years and shall not be transferred to any other fund or revert to the General Fund. The commissioner of public health or a designee shall report annually to the house and senate committees on ways and means and the house and senate chairs of the joint committee on health care financing the amount of funds collected and any expenditures made from the fund.**

**Section 3. There shall be a vaccine purchase advisory council consisting of the commissioner of public health or a designee, who shall serve as chair; the medical director of the universal immunization program of the department of public health established under section 24I of chapter 111; the executive director for the center for health information and analysis or a designee; the executive director of the commonwealth health insurance connector authority or a designee; 3 persons to be appointed by the commissioner of insurance, each of whom shall be a representative of 1 of the 3 health insurance companies having the most insured lives in the commonwealth; and 8 persons to be appointed by the commissioner of public health, 1 of whom shall be a representative of an employer that self-insures for health coverage who shall be appointed from lists of nominees submitted by statewide associations of employers, 1 of whom shall be a representative of the pharmaceutical manufacturing industry with expertise in researching, developing and manufacturing vaccines, 1 of whom shall be a member of the Massachusetts Medical Society, 1 of whom shall be a member of the Massachusetts chapter of the American Academy of Pediatrics, 1 of whom shall be a member of the Massachusetts Academy of Family Physicians, and 3 of whom shall be physicians licensed to practice in the commonwealth and who shall have expertise in the area of childhood vaccines. The council shall recommend the types of vaccines to be purchased based on a list of routine childhood immunizations and shall take into account provider preference, cost, availability and other factors as determined by the council. The council shall recommend the amount of funding needed each fiscal year by calculating the total non-federal program cost. The commissioner of public health shall determine the final vaccines to be purchased.**

**Section 4. Under regulations adopted by the commissioner of public health, each surcharge payor in the commonwealth shall pay to the commissioner of public health, for deposit in the Vaccine Purchase Trust Fund, a routine childhood immunizations surcharge assessed by the commissioner. By January 1 of each year, the commissioner of public health shall determine the total amount of such surcharge for the following fiscal year by determining the final amount required to be included in the Vaccine Purchase Trust Fund for the following fiscal year to cover the estimated costs to purchase, store and distribute vaccines for routine childhood immunizations and to administer the fund and the immunization registry, established under section 24M of chapter 111. Such amount shall exclude any costs anticipated to be covered by federal contribution, shall take into consideration the limitations on expenditures described in Section 2, and shall take into account any anticipated surplus or deficit in the trust fund. Such amount shall not be more than 4 per cent greater than the surcharge amount for the prior fiscal year unless the commissioner of public health submits a detailed report to the legislature explaining the need for such increase. If the reason for such increase is due to the purchase of new**

**vaccines, as recommended by the vaccine purchase advisory council, such report shall include an analysis of cost savings generated by use of the state vaccine purchasing discount.**
**The commissioner shall annually provide surcharge payors notice of the assessment amount for the trust fund year not later than March 1. Surcharge payors shall pay the surcharge on a schedule determined by regulation, provided that such schedule shall ensure sufficient funds for the trust fund to fulfill the purposes described in section 2. Each surcharge payor shall pay a portion of the total amount of the surcharge proportional to their payments subject to rurcharge during the most recent period for which data is available, as further defined in regulation.**
**Section 5. The department of public health may adopt rules and regulations as necessary to implement the universal purchase and distribution system under this chapter and other applicable state and federal laws. The rules and regulations shall establish the system by which vaccines are distributed for children in the commonwealth.**
**Section 6. Every surcharge payor, to the extent not preempted by federal law, shall provide benefits for: (i) routine childhood immunizations for residents of the commonwealth; and (ii) immunizations for residents of the commonwealth who are 19 years of age and older according to the most recent schedules recommended by the Advisory Committee on Immunization Practices of the United States Department of Health and Human Services. These benefits shall be exempt from any copayment, coinsurance, deductible or dollar limit provisions in the health insurance policy or contract.**
**SECTION X. Notwithstanding any general or special law to the contrary, in fiscal year 2015, the commissioner of public health shall not increase the total amount of the routine childhood immunizations surcharge more than 7 per cent over item 4580-1000 in the fiscal year 2014 general appropriations act, plus any supplemental fiscal year 2014 funding to said item 4580-1000, unless the commissioner of public health submits a detailed report to the legislature explaining the need for such increase; and provided further, that in state fiscal year 2016, the commissioner of public health shall not increase the total amount of the surcharge more than 7 per cent over the fiscal year 2015 surcharge amount unless the commissioner of public health submits a detailed report to the legislature explaining the need for such increase.**
**SECTION X. The routine childhood immunizations surcharge assessment required under section 4 of chapter 118I of the General Laws shall take effect on July 1, 2014."**
**The amendment was adopted.**
**Messrs. Richard T. Moore, Donnelly, Downing and Tarr moved that the proposed new text be amended in section 2, in item 4000-0300, by adding 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; and provided further, that the funds authorized herein for telehealth reimbursement shall be short-term reimbursement made through MassHealth".**
**The amendment was adopted.**
**Mr. Richard T. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-**
**"SECTION X. Section 13(c) of chapter 6D is hereby amended by adding at the end thereof the following three sentences:- The commission may require that any provider, provider organization or payer submit documents and information in connection with a notice of material change or a cost and market impact review under this section. The commission shall keep confidential all nonpublic information and documents obtained under this section and shall not disclose the information or documents to any person without the consent of the provider or payer that produced the information or documents except in a preliminary report or final report under this section if the commission believes that such disclosure should be made in the public interest after taking into account any privacy, trade secret or anti-competitive considerations. The confidential information and documents shall not be public records and shall be exempt from disclosure under clause Twenty-sixth of section 7 of chapter 4 or section 10 of chapter 66.".**
**The amendment was adopted.**
**Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 7002-0021, by inserting at the end thereof the following:- "; provided further, that not less than $1,500,000 shall be provided to the town of Webster to support emergency department capacity in that town; provided, however, that such funds shall be provided only if such funds will be matched by an equal or greater amount of private funds".**
**The amendment was adopted.**
**Messrs. Richard T. Moore and Downing, Ms. Jehlen, Messrs. Joyce and Eldridge, Ms. Clark, Messrs. Kennedy, Rush and Timilty and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 4590-0250, by striking out the figure "$11,200,000" and inserting in place thereof the following figure:- "$12,900,000".**
**The amendment was adopted.**
**As previously stated, the above amendments were considered as one, and were adopted.**

**There being no objection, the following amendments were considered as one and rejected, to wit:**
**Mr. Barrett, Ms. Donoghue, Mr. Brownsberger, Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 0950-0050 the following item:**
**"xxxx-xxxx For the commission on the status of Asian Americans, pursuant to section 68 of chapter 3 of the General Laws …….. $35,000".**
**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 at the end thereof the following: "provided that $50,000 be expended for the Springfield Symphony Orchestra" and in said item, by striking out the figures "$5,924,728" and inserting in place thereof the figures "$5,974,728".**
**The amendment was *rejected*.**

**Messrs. Tarr and Montigny moved that the proposed new text be amended in section 2, in item 2300-0100, by inserting at the end thereof the following:- "; provided, that not less than $300,000 shall be expended for grants to fishing ports to develop recovery and revitalization plans in response to federal groundfish regulations that took effect on May 1, 2013; provided further, that the division shall issue requests for proposals from affected ports not later than 60 days following the passage of this act and shall award such grants in a timely fashion; provided further, that all affected ports may submit individual plans or multiple ports may submit a regional plan; provided further, that all plans so developed shall be submitted to the director of the division, the secretary of the executive office of energy and environmental affairs, the secretary of the executive office of housing and economic development, and the clerks of the house of representatives and the senate not later than 180 days following the passage of this act".**
**The amendment was *rejected*.**

**Mr. Pacheco moved that the proposed new text be amended in section 2, in item 7008-0900, by inserting at the end there of the following new text:- "provided further, that not less than $25,000 shall be provided to the Wareham Summer of Celebration Organization, Inc., for the town's celebration of Wareham's 200th Anniversary of the attack on Wareham harbor by the British sloop HMS Nimrod and the 275th Anniversary of the Incorporation of the Town".**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended by inserting, after section ___, the following new section:- "SECTION__. For fiscal year 2014, the department of housing and community development shall issue the initial contacts for family shelter services for a time period not less than six months; provided, however, that should the department not have in place the necessary funding for said contracts at the start of the fiscal year, the department shall enter into contracts for not less than three months, and shall report to the house and senate committees on ways and means and the joint committee on housing within 30 days of the passage of this act the projected need for funding for the issuance of long-term contracts for the provision of shelter services. The department shall, in consultation with the executive office for administration and finance and the comptroller, develop a plan for fiscal years 2014 through 2019, inclusive, to minimize, to the maximum extent possible, the utilization of contracts for a duration of less than six months, and to maximize the utilization of contracts for twelve months whenever possible. The department shall develop any legislative recommendations necessary to the achievement of the provisions of this section, and file said recommendations with the clerks of the senate and the house of representatives not later than nine months following the passage of this act."**
**The amendment was *rejected*.**

**Ms. Spilka, Mr. Donnelly and Ms. Lovely moved that the proposed new text be amended in section 2, by inserting, after section __, the following new section:-**
**"SECTION____. There shall be a standing commission to investigate and study how poverty in the commonwealth can be reduced by 10 per cent in the next 5 years and 20 per cent in the next 10 years by engaging the public, private, and non-profit sectors drawn from all regions of the commonwealth and representing rural, urban and suburban populations. The investigation and study shall include, but not be limited to: (1) appropriate measures of poverty; (2) the root causes of poverty; (3) analysis of income inequality in Massachusetts, in particular examining the number of people and families in the commonwealth living below 200 per cent of the federal poverty level and the socio-economic challenges they face, while also calculating the number of people and families living at multiples above the federal poverty level; (4) violence in urban areas, particularly gun violence, and its effect on youth, commercial activity, and job opportunities in the community; (5) the number and types of existing jobs and the economically competitive strengths of the commonwealth; (6) obstacles to job opportunities for the poor; (7) recent examples and categories of successful paths out of poverty for youth, families, and neighborhoods; and (8) successful approaches and innovative system change efforts to reducing poverty and violence from within the commonwealth and throughout North America. The commission shall also produce data, estimates, and conduct analysis on the potential long-term municipal and state government savings that would result from effective poverty reduction efforts throughout the commonwealth as the number of people in need of government safety net spending is reduced. The commission shall establish and methodology for calculating annually relevant and appropriate metrics of poverty in the commonwealth.**
**The commission shall consist of the following 26 members: the secretary of administration and finance, or a designee; the secretary of housing and economic development, or a designee; the secretary of health and human services, or a designee; the secretary of transportation, or a designee; the secretary of labor and workforce development, or a designee; the secretary of education, or a designee; the secretary of public safety and security, or a designee; 2 appointees to be chosen by the speaker of the house of representatives; 2 appointees to be chosen by the president of the senate; 1appointee to be chosen by the minority leader of the house of representatives; 1 appointee to be chosen by the minority leader of the senate; 1 appointee to be chosen by the Massachusetts Mayors Association; 1 appointee to be chosen by the Massachusetts Non-Profit Network; 1 appointee to be chosen by the MassInc.; 1 appointee to be chosen by a Massachusetts based philanthropic foundation; 1 appointee to be chosen by FSG or similar social impact consultant; 1 appointee to be chosen**

**by the Institute for a Competitive Inner-City; 1 appointee to be chosen by the Massachusetts AFL-CIO; 1 appointee to be chosen by the Massachusetts Budget and Policy Center; 1 appointee to be chosen by a chamber of commerce in the commonwealth; 1 appointee to be chosen by the Massachusetts Council of Churches; 1 appointee to be chosen by the Massachusetts Association for Community Action; 1 appointee to be chosen by Massachusetts Law Reform Institute on behalf of organizations providing legal services to low-income people; and 1 appointee to be chosen by the National Association of Social Workers, Massachusetts Chapter.**
**The commission shall report its findings to the general court, along with any legislation necessary to carry its recommendations into effect, by filing the same with the clerks of the house of representatives and the senate on or before November 30, 2013."**
**The amendment was *rejected*.**

**Mr. Knapik 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 $35,000 shall be expended for the renovations and improvements to the Anne Sullivan Memorial in Agawam,".**
**The amendment was *rejected*.**

**Ms. Candaras, Ms. Spilka, Messrs. Wolf, Knapik and Welch, Ms. Lovely, Mr. Rodrigues, Ms. Flanagan, Messrs. Michael O. Moore, McGee and Eldridge, Ms. O'Connor Ives and Ms. Donoghue 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:- "$1,200,000".**
**The amendment was *rejected*.**

**Mr. McGee moved that the proposed new text be amended in section 2, in item 7008-0900, by adding the following words:- "; provided further, that no less than $90,000 shall be expended for the Russian Community Association of Massachusetts (RCAM) in Boston".**
**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 registrar of motor vehicles is hereby authorized and directed to incorporate language into the driver's manual for junior operators stating that 'By following the procedures for obtaining a driver's license in Massachusetts, I hereby pledge to abide by the laws governing the operation of a motor vehicle within the Commonwealth and not be impaired by either drugs or alcohol while operating a motor vehicle.'."**
**The amendment was *rejected*.**

**Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended in section 2, in item 8200-0222, by inserting after the word "system" the following: "; provided further, that the committee shall establish and maintain a current accounting of the number of new recruits requiring training who have applied for such training and have not yet received it, which shall be reported every six months to the house and senate committees on ways and means".**
**The amendment was *rejected*.**

**Mr. Michael O. Moore moved that the proposed new text be amended in section 2 , by inserting after line 8000-1700 the following item:**
**"xxxx-xxxx For all expenses related to the purchase and training of not less than two canines trained in explosives ordinance detection (EOD) for the Central Massachusetts Homeland Security Council. The Council shall be authorized to fund the necessary vehicles, equipment and training for each EOD canine. The Council is further authorized to establish a grant program to fund the equipment and training expenses required for a dedicated police officer for each EOD canine. Any city or town accepting an EOD canine must commit to maintaining a trained officer and all necessary equipment and vehicle for the life of the dog. Any city or town accepting funding for an EOD canine shall upon acceptance agree to respond to regional or state wide calls for assistance from the Central Massachusetts Law Enforcement Council, the secretary of public safety and homeland security and the Massachusetts Emergency Management Agency ..... $200,000".**
**The amendment was *rejected*.**

**Ms. Chandler moved that the proposed new text be amended in section 2, in item 8200-0222, by adding at the end thereof the following:- "provided that municipalities in Worcester County hosting municipal police training academies shall receive not less than the amount provided in section 2 of chapter 68 of the acts of 2011".**
**The amendment was *rejected*.**

**Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 1599-0026, by inserting the following:- "; provided further, that $1,500,000 shall be transferred to the executive office of public safety and security for a competitive grant program to cities and towns to purchase fire suppression systems for public safety vehicles or**

**retrofit existing public safety vehicles with fire suppression systems".**
**The amendment was *rejected*.**

**Messrs. Tarr, Michael O. Moore, Hedlund, Knapik and Ross moved that the proposed new text be amended in section 35, by inserting in section 35, in line 405, after the word "for" the following language:- "the creation of a statewide Police Officer Standards and Training system and"; and by inserting after section _ the following section:-**
**"SECTION _. There shall be a Police Officer Standards and Trainings commission to develop and implement a statewide POST system with oversight over all law enforcement training in the commonwealth. The statewide POST system shall be applicable to all officers exercising police powers in the commonwealth.**
**The commission shall file a report with the clerks of the senate and house of representatives not later than December 31, 2013. Said report shall detail a statewide POST system that is the ultimate decision maker with respect to law enforcement training standards and has the authority to set certification standards based upon officer training, experience, and education.**
**The commission shall consist of the following members or a designee of the following members: the secretary of public safety, who shall serve as the chair; the executive director of the municipal police training commission; the colonel of the state police; the director of environmental police; the director the Massachusetts sheriffs association; the commissioner of the department of corrections; a representative of the Massachusetts harbormasters Association; 2 representatives from municipal police departments; a representative of the Massachusetts municipal association; and 2 members appointed by the governor with expertise in law enforcement education and policy."**
**The amendment was *rejected*.**

**Ms. Chandler moved that the proposed new text be amended by striking out section 27 and by inserting the following new section:-**
**"SECTION 27. Said section 21 of said chapter 22, as so appearing, is hereby further amended by inserting after subsection (a) the following subsection:-**
**(a½) The commissioner or the commissioner's designee may issue a written notice of violation, which shall be a written warning or a citation to assess civil monetary fines of not more than $1,000 for a violation of section 71K of chapter 143 and not more than $200 for a violation of Section 71N of chapter 143; provided, however, that a designee of the recreational tramway board may also issue a warning or citation under said sections 71K and 71N."**
**The amendment was *rejected*.**

**Ms. Creem moved that the proposed new text be amended in section 2, in item 8910-1101, by inserting after the words "department of correction associated with the regional units;" the following:- "and (v) the deficiencies in addressing the needs of incarcerated woman to include pretrial placement and facilities;".**
**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 at the end thereof the following:-"; provided further no 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".**
**The amendment was *rejected*.**

**Mr. Rosenberg 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 $35,000 shall be expended for the firefighting equipment grant program for the Hadley Fire Department".**
**The amendment was *rejected*.**

**Messrs. Knapik and Welch moved that the proposed new text be amended in section 2, in item 8311-1000, by striking out the words "and to support the department's participation in the National Council for Amusement and Recreational Equipment Safety; provided further, that the department may charge fees for amusement operator certification".**
**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 "cases of criminal abuse" the following:- "; provided further, that no less than $200,000 shall be expended for Operation Cutone".**
**The amendment was *rejected*.**

**Mr. Keenan 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 $100,000 shall be expended to the town of Braintree for public safety improvements"; and in said item by striking out the figures "$2,180,554" and inserting in place thereof the figures**

**"$2,280,554".**
**The amendment was *rejected*.**

**Mr. Rush moved that the proposed new text be amended in section 2, in item 8950-0001, by striking the figure "$17,937,499" and inserting in place thereof the following figure:- "$18,066,925".**
**The amendment was *rejected*.**

**Mr. Rush and Ms. Jehlen moved that the proposed new text be amended in section 10 , line 130, after the words "Sheriffs Association or a designee" the following words:- "the police commissioner for the city of Boston or a designee; the executive director of Prisoners' Legal Services or a designee;".**
**The amendment was *rejected*.**

**Messrs. Petruccelli and DiDomenico, Ms. Jehlen and Mr. Brownsberger moved that the proposed new text be amended by inserting the following section:-**
**"SECTION XX. Notwithstanding any general law or special law, or rule or regulation to the contrary, any entity that stores or blends ethanol shall contract with all municipalities located within a 5 mile radius from the entity for the purposes of promoting public safety and health. The contract shall stipulate that the entity will finance the purchase of all alcohol resistant foam and associated equipment necessary to adequately combat ethanol fires in said municipalities. The contract shall also stipulate that the entity will finance training for all fire department personnel once per year in the best manner to combat ethanol fires in said municipalities, along with the foam necessary for the training. A signed copy of the agreement shall be submitted to the Department of Fire Safety no later than October 1, 2013.**
**For the purposes of this section, ethanol shall be defined as any mixture composed of not less than 30% ethanol."**
**The amendment was *rejected*.**

**Mr. Brownsberger, Ms. Chang-Diaz and Mr. Rush moved that the proposed new text be amended in section 2, in item 8910-8800, by striking out the figure "$94,647,693" and inserting in place thereof the following figure:- "101,847.693".**
**The amendment was *rejected*.**

**Mr. Keenan moved that the proposed new text be amended in section 2, in item 8000-0600, by striking out the figure "$2,180,554." and inserting in place there of the following figure "$2,380,554".**
**The amendment was *rejected*.**

**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION __. Section 25 of Chapter 90 of the General Laws as appearing in the 2010 Official Edition by adding to the end of said Section 25 the following:- Any person who, while operating or in charge of a motor vehicle, when being pursued by a police officer in an official police vehicle displaying lights and siren, shall refuse or neglect to stop, shall be punished by a fine of not less than one thousand dollars nor more than ten thousand dollars and imprisonment in State Prison for not less than thirty days nor more than two and one-half years, or both such fine and imprisonment."**
**The amendment was *rejected*.**

**Mr. Timilty moved that the proposed new text be amended by striking sections 26 and 27.**
**The amendment was *rejected*.**

**Messrs. Timilty and 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 the department shall expend not less than $2,000,000 for cities and towns hosting department of correction facilities; provided further, that of such $2,000,000, no city or town hosting a department of correction facility shall receive more than $800,000; provided further, that of such $2,000,000, 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 in said item by striking out the figures "$540,651,975" and inserting in place thereof the figures "$542,651,975".**
**The amendment was *rejected*.**

**Mr. Wolf moved that the proposed new text be amended in section 2, in item 8910-8200, by striking the figure "$24,224,899" and inserting in place thereof "$26,500,000."**
**The amendment was *rejected*.**

**Mr. Hedlund moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. Section 5 of Chapter 94C of the General Laws are hereby amended by inserting after paragraph 2 the following:-**
**(2) the dispensing or sale of any marijuana product as provided for in Chapter 369 of the acts of 2012 shall not bear a reasonable resemblance to any product available for consumption as a candy. For the purposes of this section the term 'Candy' shall refer to a preparation of sugar, honey, or other natural or artificial sweeteners in combination with**

**chocolate, fruits, nuts or other ingredients or flavorings in the form of bars, drops, or pieces. 'Candy' shall not include any preparation containing flour and shall require no refrigeration. Violation of this paragraph shall carry a penalty of not more than a 500 dollar fine for the first offense, not more than a 1,000 dollar fine for the second offense, and not more than a 5,000 fine for the third and each subsequent offense."**
**The amendment was *rejected*.**

**Mr. Timilty moved that the proposed new text be amended in section 35, in line 410, by striking the words "and shall be subject to appropriation".**
**The amendment was *rejected*.**

**Mr. Kennedy moved that the proposed new text be amended in section 138 by inserting, the following new section:- "SECTION __ Chapter 32, Section 100 is hereby amended in line 14 after the word, "death," by inserting the following:- 'or if a municipal or public emergency medical technician while in the performance of his duties and as a result of an assault on his person or as a result of an accident involving an emergency medical services vehicle which he is operating or in which he is riding in the performance of his duties as a emergency medical technician is killed or sustains injuries which result in his death,'; and by striking every instance therein where the following phrase appears: 'firefighter, police officer, or corrections officer' and inserting in place thereof the following:- 'firefighter, police officer, correction officer, or municipal or public emergency medical technician'."**
**The amendment was *rejected*.**

**Ms. Creem, Messrs. Brownsberger and Finegold and Ms. Spilka moved that the proposed new text be amended in section 2, in item 8910-0107, by striking out the figure "$62,430,080" and inserting in place thereof the following figure:- "$63,208,968".**
**The amendment was *rejected*.**

**Ms. Jehlen moved that the proposed new text be amended in section 2 by inserting after line item 8900-0050 the following item:-**
**"8900-1100 For re-entry programs at the department of correction intended to reduce recidivism rates ……..……. $550,139".**
**The amendment was *rejected*.**

**Ms. Jehlen moved that the proposed new text be amended in section 2, in item 8900-0001, by striking out the figure "$540,651,975" and inserting in place thereof the figure:- "$548,121,387".**
**The amendment was *rejected*.**

**Messrs. Montigny, Timilty, Rodrigues and Ross moved that the proposed new text be amended in section 2, in item 8910-8300, in section 2, by striking the figure "$31,059,463" and inserting in place thereof the following figure:- "$38,589,049" and in said section 2, in item 8910-8310, by striking the figure "$9,011,360" and inserting in place thereof the following figure:-"$7,200,000".**
**The amendment was *rejected*.**

**Ms. Clark, Messrs. Brownsberger and Timilty, Ms. Flanagan, Messrs. DiDomenico, Finegold, Rodrigues and Rush, Ms. Spilka, Messrs. Welch, Joyce, Kennedy, Ross and Wolf, Ms. O'Connor Ives, Mr. Barrett, Ms. Creem, Ms. Donoghue, Messrs. Downing, Eldridge and Keenan, Ms. Lovely and Messrs. McGee and Tarr moved that the proposed new text be amended in section 2, in item 8200-0200, by striking out the figure "$2,512,968" and inserting in place thereof the following figure:- "$5,000,000".**
**The amendment was *rejected*.**

**Mr. McGee, Ms. O'Connor Ives and Mr. Joyce moved that the proposed new text be amended, in section 2, in item 8100-1001, after the words "cases of criminal abuse;" by 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 2014;"; and in said item, by striking out the figure "$252,214,838" and inserting in place thereof the following figure "$253,214,838".**
**The amendment was *rejected*.**

**Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 1599-0026, by inserting after the words "$200 in 2010;" the following:- "provided further, that $50,000 shall be expended for conceptual planning and development for fire safety improvements in the town of Dudley;"; and in said item, by striking out the figures "$7,000,000" and inserting in place thereof the figures "$7,050,000".**
**The amendment was *rejected*.**

**Ms. Chang-Diaz and Ms. Jehlen moved that the proposed new text be amended in section 2, by inserting after item 8900-0050 the following new item:-**
**"xxxx-xxxx For re-entry programs at the department of correction intended to reduce recidivism rates; provided, that said programs shall be in addition to those provided in fiscal year 2006; provided further, that the department shall report to the house and senate committees on ways and means not later than January 20, 2015 on re-entry programming at the department of correction; and provided further, that the report shall include information on the type of programs provided and the recidivism rate of the offenders who successfully complete the programs ..... 8,000,000".**
**The amendment was *rejected*.**

**Ms. Chandler moved that the proposed new text be amended in section 2E, in item 1595-6368, by adding at the end thereof the following:- "provided further, that the MassDOT highway division shall restore a crosswalk located on Main Street in the Town of Boylston".**
**The amendment was *rejected*.**

**Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting after section _ the following new section:-**
**"SECTION _. Section 73 of chapter 6C of the General Laws, as so appearing, is hereby amended by striking the sixth, seventh and eighth paragraphs and inserting in place thereof the following:- The report shall be delivered within 30 days of the commission's approval of a request for proposal for design-build-finance-operate-maintain or design-build-operate-maintain services to the secretary for administration and finance, the house committee on ways and means, the senate committee on ways and means, and the joint committee on transportation." ; and by inserting after section _ the following new section:**
**"SECTION __. Chapter 7, as appearing in the 2010 Official Edition, is hereby amended by inserting after section 55 the following new section:-**
**Section 55A. Notwithstanding sections 52 to 55, inclusive, or any other general or special law to the contrary, a request for proposal for design-build-finance-operate-maintain or design-build-operate-maintain services approved by the public-private partnership infrastructure oversight commission, pursuant to section 73 of chapter 6C, shall not be subject to the provisions of section 52 to 55, inclusive."**
**The amendment was *rejected*.**

**Mr. Ross moved that the proposed new text be amended by adding the following new section:-**
**"SECTION XX. Notwithstanding any general or special law to the contrary, the secretary of the Massachusetts Department of Transportation, in consultation with the commissioner of the division of capital asset management, shall, as required by section 182 of chapter 68 of the acts of 2011, submit a report and establish a plan for the sale or lease of real property under the ownership, possession and control of the Massachusetts Department of Transportation, including, but not limited to, any land or buildings previously owned by the Massachusetts turnpike authority, and determine whether such assets are surplus to the operation of the Massachusetts Department of Transportation, as defined by section 1 of chapter 6C of the General Laws.**
**(a) If land or property is deemed to be surplus to the operation of the Massachusetts Department of Transportation, the department shall formulate a plan to ensure that the surplus land is sold or leased within a 5 year period. The department shall submit the report to the executive office for administration and finance and the house and senate committees on ways and means on or before January 1, 2014."**
**The amendment was *rejected*.**

**Messrs. Tarr and Hedlund moved that the proposed new text be amended by inserting after section _ the following section:-**
**SECTION 62. (a) The secretary of transportation, in consultation with the registrar, the director of consumer affairs and business regulation and the secretary of administration, shall conduct an auction or sale for the lease of not more than 300 state taxicab licenses; provided however that not more than 60 state taxicab licenses shall be leased in any year. The annual lease price shall not be greater than $50,000 and the lease payments shall not last beyond 5 years.**
**(b) The secretary shall promulgate regulations for the implementation, administration and enforcement of this section including, without limitation, regulations that:**
**(1) prescribe the method and form of application which an applicant for licensure shall follow and complete before consideration;**
**(2) prescribe the information to be furnished by an applicant or licensee;**
**(3) require all licensees to operate with drivers licensed by a city or town as provided for by the city or town and chapter 159A;**
**(4) require all licensees to treat every licensed driver as an employee under chapter 149;**
**(5) require all licensees to maintain a policy of liability insurance that insures the safety of passengers, including but not limited to the amount or limit of at least one hundred thousand dollars on account of injury to or death of any one person, and, subject to the limits as respects injury to or death of one person; at least three hundred thousand dollars on account of any one accident resulting in injury to or death of more than one person;**

**(6) allow holders of state taxicab licenses to pick up and drop off passengers in multiple cities or towns in the commonwealth;**
**(7) provide for minimum standards of vehicle fuel efficiency and encourage the applications of persons who will place the license in alternative fuel vehicles or hybrid vehicles;**
**(7) encourage the applications of minority, women owned, and veteran persons;**
**(8) encourage the applications of applicants who will place the license in a vehicle that is equipped with a lift, ramp, or any other device, arrangement or alteration, capable of transporting persons with physical disabilities;**
**(9) require state taxicab licensees to pay an annual fee;**
**(10) allow for the removal of a state taxicab license from any holder for failure to comply with the laws of the commonwealth and the regulations adopted by the department;**
**(11) limit any holder of a state taxicab license to less than 4 state taxicab licenses; provided, however, that a holder may have 4 or more licenses if the department does not receive sufficient competition and deems it in the best interest of the commonwealth for said holder to maintain 4 or more licenses**
**(12) address regional priorities and equity in the state taxicab market.**
**(c) The department shall deposit all moneys received pursuant to this section in the general fund; provided, however, that 10 per cent of moneys received shall be distributed to the city or town of the principal place of business of the state taxicab license, as determined by regulations established by the department."**
**The amendment was *rejected*.**

**Ms. Spilka moved that the proposed new text be amended in section 2, by inserting the following new line item:-**
**"xxxx-xxxx For a pilot 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 Massachusetts public transportation sector; provided, that such program shall be established and operated by the MetroWest Regional Transit Authority (MWRTA); 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; provided further, that such program shall provide special outreach to veterans and to diverse populations in the MetroWest region that have mobility and transportation challenges, including people with certain disabilities, the economically disadvantaged, cultural and linguistic minorities, and others; and provided further, special consideration will be given to private sectors companies willing to participate with matching funds or in kind resources to accomplish the goal of this legislation…….. $100,000".**
**The amendment was *rejected*.**

**Messrs. Hedlund and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**[For text see Senate document numbered 1843, to enhance Melanie's Law.]**
**The amendment was *rejected*.**

**Messrs. Hedlund and Knapik moved that the proposed new text be amended by inserting after section ___, the following new sections:-**
**"SECTION ___. Paragraph c of Subsection 1 of Section 24 of Chapter 90 of the General Laws is hereby amended by striking out subparagraph 1, as appearing in the 2006 Official Edition, and inserting in place thereof the following subparagraph:-**
**(c) (1). Where the license or right to operate has been revoked under section twenty-four D or twenty-four E, or revoked under paragraph (b) and such person has not been convicted of a like offense or has not been assigned to an alcohol or controlled substance education, treatment or rehabilitation program because of a like offense by a court of the commonwealth or any other jurisdiction preceding the date of the commission of the offense for which he has been convicted, the registrar shall not restore the license or reinstate the right to operate to such person unless the prosecution of such person has been terminated in favor of the defendant, until one year after the date of conviction; provided, however, that such person may, after the expiration of three months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license for employment or educational purposes, which license shall be effective for not more than an identical twelve hour period every day on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control, and the registrar may, in his discretion, issue such license under such terms and conditions as he deems appropriate and necessary; and provided, further, that such person may, after the expiration of six months from the date of conviction, apply for and shall be granted a hearing before the registrar for the purpose of requesting the issuance of a new license on a limited basis on the grounds of hardship and a showing by the person that the causes of the present and past violations have been dealt with or brought under control and the registrar may, in his discretion, issue such a license under such terms and conditions as he deems appropriate and necessary. A mandatory restriction on a hardship license granted by the registrar under this subparagraph shall be that such person have an ignition interlock device installed on each vehicle owned, each vehicle leased and each vehicle operated by the licensee for the duration of the hardship license.**
**SECTION ___. Chapter 90 of the General Laws is hereby amended by striking out section 241/2, as appearing in the 2006**

**Official Edition, and inserting in place thereof the following section:-**
**241/2. No person whose license has been suspended in the commonwealth or any other jurisdiction by reason of: an assignment to an alcohol or controlled substance education, treatment or rehabilitation program; or a conviction for violating paragraph (a) of subdivision (1) of section 24, subsection (a) of section 24G, operating a motor vehicle with a percentage by weight of blood alcohol of eight one-hundredths or greater, or while under the influence of intoxicating liquor in violation of subsection (b) of said section 24G, section 24L, section 13 1/2 of chapter 265, subsection (a) of section 8 of chapter 90B, section 8A or 8B of chapter 90B or, in the case of another jurisdiction, for any like offense, shall be issued a new license or right to operate or have his license or right to operate restored unless a certified ignition interlock device has been installed on each vehicle owned, each vehicle leased and each vehicle operated by that person as a precondition to the issuance of a new license or right to operate or the restoration of such person's license or right to operate. A certified ignition interlock device shall be installed on all vehicles owned, leased and operated by the licensee for a period of 6 months if he has not previously been assigned or convicted, and for a period of 2 years if he has previously been so assigned or convicted and person restricted by a certified ignition interlock device shall have such device inspected, maintained and monitored in accordance with such regulations as the registrar shall promulgate. The registrar may, after hearing, revoke for an extended period or for life, the license of whoever removes such device or fails to have it inspected, maintained or monitored on at least 2 occasions during the period of the restricted license or right to operate if the licensee has operated or attempted to operate a vehicle with a blood alcohol level that caused the certified ignition interlock device to prohibit a vehicle from starting on at least 2 occasions or that recorded a blood alcohol level in excess of.02 on at least 2 occasions. A person aggrieved by a decision of the registrar pursuant to this section may file an appeal in the superior court of the trial court department. If the court determines that the registrar abused his discretion, the court may vacate the suspension or revocation of a license or right to operate or reduce the period of suspension or revocation as ordered by the registrar.**
**SECTION ___. Section 24(D) of Chapter 90 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the fourth paragraph the following paragraph:-**
**A mandatory restriction on a hardship license granted by the registrar under this section shall be that such person have an ignition interlock device installed on each vehicle owned, each vehicle leased and each vehicle operated by the licensee for the duration of the hardship license."**
**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 words "supervised visitation programs" the following:- "provided further, that not less than $570,000 shall be expended for the Partnership for Healthy Pathways (PHP) project;".**
**The amendment was *rejected*.**

**Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 4000-0600, by inserting the following:- "; provided further, that in order to be eligible to be eligible to apply for Medicare certification and to bill MassHealth for home health services, any new applicant seeking to provide home health services must submit to a Certificate of Need (CON) review established by the Massachusetts Department of Public Health and assessed by an independent board appointed by the Governor, General Court, the Secretary of Health and Human Services, and the Home Care Alliance of Massachusetts. To obtain a CON, an application must be filed with said independent board in which the applicant demonstrates the need for or prove the cost efficiency of a new agency. The applicant must present to the department and board both evidence of unmet need and how the proposed agency would fit into the comprehensive health care delivery system of the service area. This application requirement shall not apply to Medicare-certified home health agencies providing care as of July 1, 2013".**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended by inserting, after section __, the following new section:-**
**"Section 2 of chapter 29 of the General Laws is hereby amended by adding the following new section:-**
**Section _____. There shall be established upon the books of the commonwealth a separate fund to be known as the Dockside Testing Trust Fund to be expended, without prior appropriation, by the department of public health. The fund shall consist of fees collected from harvesters of molluscan shellfish on Georges Bank, in waters that are not monitored for the presence of paralytic shellfish toxin, in the amount of thirty-five thousand dollars per vessel that harvests in said waters. The commissioner shall make necessary expenditures from this account for the administrative costs of the operations and programs of the department related to regulating and monitoring the shellfish harvesters, including the testing of the shellfish as necessary to ensure that they are safe for human consumption. The department may incur expenses, and the comptroller may certify for payment, amounts in anticipation of expected receipts, but no expenditure shall be made from the fund that would cause the fund to be in deficit at the close of a fiscal year. Moneys deposited in the fund that are unexpended at the end of the fiscal year shall not revert to the General Fund. The department shall use amounts in said fund for the aforesaid purposes and for no other."**
**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 provide additional reimbursement to the pediatric acute hospital in the Commonwealth, above the base rates, to compensate for high-complexity pediatric care in an amount no less than $11,800,000 and to the pediatric specialty unit in the Commonwealth in an amount no less than $3,000,000"; and in said item, by striking out the figures "$88,247,730 and inserting in place thereof the figures "$103,047,730".**
**The amendment was *rejected*.**

**Messrs. Petruccelli, Brownsberger, Finegold and McGee moved that the proposed new text be amended in section 2, in item 4512-0225, by striking out the figure "1,270,000" and inserting in place thereof the following figure:- "1,830,000".**
**The amendment was *rejected*.**

**Mr. Petruccelli 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 Self Esteem Boston's substance abuse direct service and provider training programs"; and in said item, by striking out the figures "$2,000,000" and inserting in place thereof the figures "$2,100,000".**
**The amendment was *rejected*.**

**Mr. Michael O. Moore and Ms. Clark moved that the proposed new text be amended, in section 2 by inserting after item 1599-4444 the following item:--**
**"1599-6000. For a reserve to adjust the reimbursement rates for outpatient behavioral health services paid to providers that deliver outpatient behavioral health services reimbursed by Medicaid, or by a health maintenance organization under contract with the Division of Medical Assistance to provide behavioral health insurance benefits, provided further, that the secretary of administration and finance may allocate the funds appropriated in this item to the departments in order to implement this initiative; provided further, that the executive office of health and human services shall condition the expenditure of funds from this item upon assurances that the funds shall be used solely for the purposes of equal percentage adjustments to wages, fees, compensation or salary for the masters and above level clinicians providing these services; provided further, that not later than January 15, 2014, 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 2014 and the average percentage adjustment funded herein; provided further, that the report shall also include, for each contract scheduled to receive an 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 all increases provided from this salary reserve shall be above and beyond any previously negotiated or agreed upon increases; provided further, that the total fiscal year 2014 costs of salary adjustments and any other associated employee costs authorized hereunder shall not exceed $1,000,000 provided further, that the executive office of 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 2014 shall not exceed the amount appropriated in this item.....$1,000,000".**
**The amendment was *rejected*.**

**Messrs. Keenan, Donnelly and Eldridge and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 4510-0100, by striking out the figure "$18,171,603" and inserting in place thereof the following figure:- "$18,756,507".**
**The amendment was *rejected*.**

**Messrs. Tarr, DiDomenico, Knapik and Ross and Ms. Clark moved that the proposed new text be amended by inserting, after section __, the following new section:-**
**"SECTION__. Section 7 of chapter 270 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end the following new paragraph:-**
**The owner or other person in charge of a shop or other place used to sell any tobacco products at retail shall conspicuously post signage provided by the Department of Public Health that discloses current referral information about smoking cessation which may include but not be limited to the website of the Massachusetts Tobacco Cessation & Prevention Program (www.makesmokinghistory.org) and The Smokers Helpline at 1-800-Quit-Now (1-800-784-8669)."**
**The amendment was *rejected*.**

**Mr. Keenan moved that the proposed new text be amended in section 2, in item 1410-0400, by striking out the figure "$70,941,780" and inserting in place thereof the following:- "$76,518,280"; 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, Montigny, Wolf, Michael O. Moore and Brownsberger, Ms. Chang-Diaz and Mr. McGee moved that the proposed new text be amended in section 2, in item 3000-2000, by striking out the figure:- "$5,873,862" and inserting in place thereof the figure:- "$6,933,862".**
**The amendment was *rejected*.**

**Mr. Montigny moved that the proposed new text be amended in section 2, in item 9110-1455, by striking the figure "$16,488,368" and inserting in place thereof the following:- "$17,168,368".**
**The amendment was *rejected*.**

**Ms. Jehlen and Messrs. Donnelly, Brownsberger and Barrett moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 9110-1633 the following item:**
**"XXXX-XXXX For an adjustment to increase the approved program rates issued under 114.4 CMR 17.03 to provide a rate add-on for wages, compensation and/or salary and associated employee-related costs to personnel providing homemaker and personal care homemaker services to elderly clients under items 9110-1500, 9110-1630, and 4000- 0600 ……. $2,000,000".**
**The amendment was *rejected*.**

**Ms. Jehlen moved that the proposed new text be amended in section 2, in item 9110-1455, by striking the figure "$16,488,368" and inserting in place thereof the following figure "$16,808,368."**
**The amendment was *rejected*.**

**Ms. Jehlen and Messrs. Brownsberger and Eldridge moved that the proposed new text be amended in section 2, in item 4000-1602, by striking out the figure "$2,333,756" and inserting in place thereof the following figure: "$3,386,727".**
**The amendment was *rejected*.**

**Messrs. Tarr, Michael O. Moore, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting, after section__, the following new section:-**
**"SECTION__. Section 5N of chapter 18 of the General Laws, as inserted by chapter 161 of the Acts of 2012, is hereby amended by adding the following sentence:- The fraud hotline number and department website shall be prominently displayed on all newly issued electronic benefit transfer cards."**
**The amendment was *rejected*.**

**Ms. Spilka 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 any financial penalty applied by the Executive Office of Health and Human Services related to hospital readmissions shall be assessed solely on the number of actual potentially preventable readmissions that exceed the number of expected potentially preventable readmissions as determined by the executive office using a statewide average and adjusting for individual hospital case-mix. Such financial penalty shall not exceed the product of the number of discharges exceeding the expected number of potentially preventable readmissions multiplied by no more than 75 percent of the hospital's Medicaid reimbursement rate for inpatient services. For any hospital where the ratio of the number of actual potentially preventable readmissions compared to the number of expected potentially preventable readmissions is less than the ratio the executive office determined in the previous year, such financial penalty shall not exceed the product of the number of discharges exceeding the expected number of potentially preventable readmissions multiplied by no more than 37.5 percent of the hospital's Medicaid reimbursement rate for inpatient services".**
**The amendment was *rejected*.**

**Ms. Spilka and Mr. Ross moved that the proposed new text be amended in section 2, in item 1410-0012, by inserting at the end thereof the following:- "provided that, not less than $30,000 shall be expended for the Veteran's Oral History Project at the Morse Institute Library in Natick"; and by striking out the figure "$2,275,992" and inserting in place thereof the following figure:- "2,305,992."**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following new section:-**
**"SECTION XX. There shall be a special commission to be referred to as the MassHealth Cost Control Commission to investigate the use of co-payments for MassHealth members with the goal of encouraging the most cost effective use of health care resource. The investigation shall include, but not be limited to, the study of savings that would result from charging a small co-payment for the use of emergency care in non-emergency situations, in order to discourage the inappropriate use of health care resources. Inappropriate use of health care resources may be defined as an instance in which an individual seeks care in an emergency room department but whose medical needs do not warrant in-patient medical care.**
**The commission shall investigate possible cost-savings for the MassHealth program and any positive and negative deterrent effects a co-payment will have on MassHealth members, in encouraging members to use primary care rather than emergency care in non-emergency situations.**
**The MassHealth Cost Control Commission shall consist of 9 members. 1 member who shall be a representative of a major**

**hospital within the commonwealth, appointed by the Governor; 1 member who shall be an advocate for MassHealth members, appointed by the director of Medicaid; 1 member who shall be an expert in national health care policy, appointed by the Governor; 1 member who shall be a representative of MassHealth, appointed by the director of Medicaid; 1 member who shall be a taxpayer's advocate, appointed by the Governor; 1 member of the senate, appointed by the senate president; 1 member, appointed by the senate minority leader; 1 member of the house of representatives, appointed by the speaker of the house; and 1 member, appointed by the house minority leader.**
**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 health care financing, and the clerks of the house of representatives and the senate within 90 days of the passage of this act."**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended in section 88 by striking paragraph (f) and inserting in place thereof the following:-**
**"(f) There shall be an employer medical assistance contribution rate review board composed of the: (i) director of the health safety net office or a designee; (ii) director of the department of unemployment assistance or a designee; (iii) executive director of the commonwealth health insurance connector authority or a designee; and (iv) the commissioner of insurance or a designee. The rate review board shall meet on or before November 30 of each year to review the costs paid by the commonwealth in the previous fiscal year to provide subsidized care to low-income residents of the commonwealth. The board shall file a report detailing its cost review determination with the general court and the division of insurance on or before December 31 of each year. If the board determines that the costs to the commonwealth in providing subsidized care have increased from the previous fiscal year, the board shall confirm the projected cost increase with the division of insurance and submit any recommended increase to the employer medical assistance contribution with its annual report to the general court, a copy of which shall be submitted to the executive office for administration and finance, the clerks of the senate and house of representatives, the joint committee on labor and workforce development and the house and senate committees on ways and means".**
**The amendment was *rejected*.**

**Mr. Ross moved that the proposed new text be amended by adding the following new section:-**
**"SECTION XX. Section 268 of Chapter 224 of the acts of 2012 is hereby amended by inserting after the word 'ACOs', each time it appears in said section, the words:- 'patient-centered medical homes'."**
**The amendment was *rejected*.**

**Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting after the words "services and housing on the islands;" 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*.**

**Messrs. Welch and Rodrigues moved that the proposed new text be amended by inserting, after section XX, the following new section:-**
**"SECTION XXX. Section 3(b)(2) of chapter 175H is hereby amended by inserting after the word 'Administration' the following words:- 'available in the market'."**
**The amendment was *rejected*.**

**Messrs. Welch, Kennedy and Eldridge and Ms. Clark moved that the proposed new text be amended by inserting, after section XX, the following new section:-**
**"Section XXXX. Section 5 of chapter 112 of the General Laws, as amended by Chapter 224 of the Acts of 2012, is hereby amended by inserting after the word 'years' in line 78 the following: '; provided, however, that payments made as part of a disclosure, apology and early offer program, shall not be construed to be reportable to or by the board against the physician, absent a determination of substandard care rendered on the part of said physician'."**
**The amendment was *rejected*.**

**Mr. Welch and Ms. Clark moved that the proposed new text be amended by inserting, after section XX, the following new section:-**
**"SECTION XX. Section 13(a) of Chapter 6D of the General Laws, as appearing in the 2010 official edition, is hereby amended by inserting at the end of the second paragraph the following sentence:- 'The cost and market impact reviews by the Commission, as provided for under section 11N of Chapter 112 of the General Laws, shall be completed within 150 days from the date that the provider or provider organization has submitted notice to the Commission.'."**
**The amendment was *rejected*.**

**Messrs. Welch and Knapik moved that the proposed new text be amended in section 2, in item 4000-0700, by striking out the words "$10,000,000 shall be expended from this item" and inserting in place thereof the following:- "not less than $26,000,000 shall be expended from this item;"; and by striking out the figure "$2,138,226,061" and inserting in place**

**thereof the following:- "$2,164,226,061".**
**The amendment was *rejected*.**

**Mr. Welch moved that the proposed new text be amended in section 2, in item 4000-0500, by striking out the figure "$4,538,960,913" and inserting in place thereof the following:- "$4,552,960,913".**
**The amendment was *rejected*.**

**Ms. Spilka moved that the proposed new text be amended in section 2, in item 4400-1001, by inserting the following: "provided further that not less than $100,000 shall be expended to Project Just Because of Hopkinton to provide emergency food and assistance to residents of the greater Metrowest area"; and by striking out the figure "$3,151,832" and inserting in place therefore the figure:- "3,251,832".**
**The amendment was *rejected*.**

**Mr. Welch moved that the proposed new text be amended in section 2, in item 4000-0300, by striking out the figure "$88,247,730" and inserting in place thereof the following:- "$90,598,693".**
**The amendment was *rejected*.**

**Mr. Welch moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting at the end thereof the following:- "; provided that, no less than $1,700,000 shall be expended for the rehabilitation of an existing inpatient mental health unit serving pediatrics and adolescents at a chronic disease rehabilitation hospital serving solely pediatrics and adolescents".**
**The amendment was *rejected*.**

**Messrs. Rodrigues and Finegold moved that the proposed new text be amended in section 2, in item 4100-0060, by adding at the end thereof the following: "provided further, that the health care cost growth benchmark for the average growth in total health care expenditures in the Commonwealth for the next calendar year, established under Chapter 224 of the Acts of 2012, shall not be misconstrued as a benchmark nor guideline for health plans to cite nor use as guidance nor new limitation for rate improvements, in their negotiations with hospitals, health systems or physician groups, that have historically been paid at or below the median".**
**The amendment was *rejected*.**

**Ms. Creem moved that the proposed new text be amended in section 2, in item 4110-3010, by adding at the end thereof the following:- "; provided further, that an additional $300,000 shall be made available to expand the contract for vocational rehabilitation services provided by the Carroll Center for the Blind, Inc."; and in said item, by striking out the figure "$3,053,118" and inserting in place thereof the figure "$3,353,118".**
**The amendment was *rejected*.**

**Messrs. Rodrigues and Finegold moved that the proposed new text be amended in section 2, in item 4401-1000, by inserting after the words "dependent children" the following:- "; provided further, that not less than $3,000,000 shall be expended for providers with whom the department entered into service agreements in fiscal year 2011 as procured under the Competitive Integrated Employment Service program"; and by striking out the figure "$4,284,733" and inserting in place thereof the following figure:- "$7,284,733."**
**The amendment was *rejected*.**

**Messrs. Tarr, Hedlund and Knapik moved that the proposed new text be amended by inserting after section _ the following section:-**
**"SECTION _. Section 16 of chapter 6A of the General Laws, as most recently amended by section 5 of chapter 224 of the acts of 2012, is hereby further amended by adding the following paragraphs:-**
**The executive office of health and human services shall establish and maintain a computerized income, asset, and identity eligibility verification system, hereafter referred to as an integrated eligibility system, in compliance with chapter 66A; provided that information held pursuant to the establishment of this system is used in a manner that meets all applicable federal and state privacy and security requirements, to aggregate data necessary to verify income, assets, and identity when determining an applicant's eligibility for assistance, prior to the distribution of benefits and during eligibility reviews, in order to eliminate the duplication of assistance and deter fraud within each public benefits program administered by the office.**
**The verification system shall include a statewide document imaging system to track applicant and recipient eligibility documents, including the costs of ensuring said documents are properly categorized and accessible in a secure centralized location.**
**The office may enter into contracts with third-party vendors for the purposes of developing and maintaining the integrated eligibility system; provided that any such vendor shall be required by contract to establish annualized savings realized from the implementation of the integrated verification system and savings shall exceed the total yearly cost to the state for implementing the integrated verification system.**
**The office shall require all departments, offices, and divisions under the authority of the office, that are administering**

**public benefits programs, prior to awarding, continuing, or reissuing public assistance, to use the integrated eligibility system to match the social security number of each applicant for or recipient of public assistance against, at minimum, information provided by the following public records data sources:**
**(1) a nationwide public records data source of physical asset ownership such as real property, automobiles, watercraft, aircraft and luxury vehicles;**
**(2) the department of revenue;**
**(3) undisclosed depository account information and account balances of disclosed accounts at national and local financial institutions;**
**(4) a nationwide public records data source of incarcerated individuals;**
**(5) outstanding default or arrest warrant information maintained by the criminal history systems board, the criminal justice information system, and the warrant management system;**
**(6) a nationwide best-address and driver's license data source to verify individuals are residents of the commonwealth;**
**(7) the registry of motor vehicles;**
**(8) the department of elementary and secondary education;**
**(9) a comprehensive public records database that identifies potential identity fraud or identity theft that can closely associate name, social security number, date of birth, phone and address information; and**
**(10) a database which is substantially similar to or a successor of a database mentioned in this section.**
**The office shall require all departments, offices, and divisions, under the authority of the office, that are administering public benefits programs, prior to awarding, continuing, or reissuing public assistance, to use the integrated eligibility system to match the social security number of each applicant and recipient of public assistance against information provided by the following data sources, to the extent such data sources are available:**
**(1) unearned income information maintained by the Internal Revenue Service;**
**(2) employer quarterly reports of income and unemployment insurance payment information maintained by the department of labor and workforce development;**
**(3) earned income information maintained by the Social Security Administration;**
**(4) immigration status information maintained by the United States Citizenship and Immigration Services;**
**(5) death register information maintained by the Social Security Administration;**
**(6) prisoner information maintained by the Social Security Administration;**
**(7) public housing and Section 8 Housing Assistance payment information maintained by the Department of Housing and Urban Development and the Massachusetts public housing authorities;**
**(8) national fleeing felon information maintained by the Federal Bureau of Investigation;**
**(9) wage reporting and similar information maintained by states contiguous to this State;**
**(10) beneficiary records and earnings information maintained by the Social Security Administration in its Beneficiary and Earnings Data Exchange (BENDEX) database;**
**(11) earnings and pension information maintained by the Social Security Administration in its Beneficiary Earnings Exchange Record System (BEERS) database;**
**(12) employment information maintained by the department of labor and workforce development and the department of unemployment assistance;**
**13) employment information maintained by the United States Department of Health and Human Services in its National Directory of New Hires database;**
**(14) supplemental Security Income information maintained by the Social Security Administration in its SSI State Data Exchange (SDX) database;**
**(15) workers compensation information maintained by the department of industrial accidents;**
**(16) veterans' benefits information maintained by the United States Department of Health and Human Services, in coordination with the Massachusetts department of health and human services and department of veterans' affairs, in the federal Public Assistance Reporting Information System (PARIS) database;**
**(17) child care services information maintained by the department of children and families;**
**(18) utility payments information maintained by the department of housing and community development under the low income home energy assistance program;**
**(19) emergency utility payment information maintained by local cities and towns or councils on aging;**
**(20) a database of all persons who currently hold a license, permit, or certificate from a State agency the cost of which exceeds $1,000; and**
**(21) a database which is substantially similar to or a successor of a database mentioned in this section.**
**The office shall work with the departments, offices, or divisions, under the authority of the office, that assist in the administration of public benefit programs to develop uniform rules and regulations regarding intake procedures and procedures for handling discrepancies that may result between an applicant or recipient's social security number and one or more of the databases or information tools outlined in this section; provided that an applicant or recipient shall be notified of any discrepancy that arises between their social security number and information retrieved by the integrated eligibility system and the applicant or recipient shall be provided an opportunity to explain any discrepancy; provided that self-declarations by an applicant or recipient shall not be accepted as the sole verification of categorical and financial eligibility during eligibility evaluations and reviews; provided further that all self-declarations made on or pursuant to an application for public assistance shall be signed under the pains and penalties of perjury; and, provided further that**

**numerical identifiers, other than valid social security numbers, shall not be used as alternatives to social security numbers for time periods in excess of 3 months. If a recipient is unable to provide an accurate social security number to replace a numerical identifier within a time period of 3 months, unless good cause is provided for under the Immigration Nationality Act, the recipient's public assistance benefits shall be terminated.**
**Nothing in this section shall preclude the office or any department, office, or division, under the authority of the office, that assists in the administration of public assistance, from conducting additional eligibility verification processes not detailed in this section."; and by inserting in section 127, in line 1738, after the word, "health and human services," the following words:- "including the identity eligibility verification system,".**
**The amendment was *rejected*.**

**Mr. Welch moved that the proposed new text be amended in section 2E, by inserting after item 1595-5819 the following new item:**
**"1595- 58XX For an operating transfer to the Health Safety Net Trust Fund, established under section 66 of chapter 118E of the General Laws, for federal financial participation claimed and received by the commonwealth for the administrative expenses of the Health Safety Net program …… $4,500,000".**
**The amendment was *rejected*.**

**Messrs. Knapik, Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting, after section 144, the following new section:-**
**"SECTION XX. Notwithstanding any general or special law to the contrary, the Department of Transitional Assistance shall establish a mandatory re-enrollment period for all enrollees in the Transitional Aid to Families with Dependent Children program (TAFDC). The re-enrollment period shall be from September 1, 2013 to August 31, 2014. Each month, the department shall identify one-twelfth of the programs caseload to participate and provide written notice to each enrollee at least thirty (30) calendar days before the re-enrollment period begins. The department shall comply with existing state and federal laws applicable to time standards for review and determination of eligibility, including income and asset limits, residency requirements, citizenship requirements, and social security requirements, and all notice and hearing requirements afforded to applicants and beneficiaries under its public assistance programs. The department shall continue distributing benefits to enrollees until a redetermination of eligibility is completed.**
**The department shall promulgate policies and procedures to hold a re-enrollment period for the Commonwealth's comprehensive transitional assistance financial assistance programs. The commissioner shall report to the joint committee on children, families, and persons with disabilities, and the house and senate committees on ways and means, the findings and recommendations, together with drafts of legislation necessary to carry the recommendations into effect by filing the same with the clerks of the senate and house of representatives on or before September 1, 2014."**
**The amendment was *rejected*.**

**Mr. Rosenberg moved that the proposed new text be amended by inserting, after section ____, the following new sections:-**
**"SECTION____. Chapter 18A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following section:-**
**Section 10. (a) The department shall, pursuant to its services provided in this chapter and in cooperation with the department of children and families, in said department of children and families' provision of and administration for a comprehensive child welfare program for care for a child in out-of-home placement, who has been adjudicated delinquent for a sexual offense or the commission of arson, or has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior, adhere to the assessment for safe and appropriate placement process, hereinafter referred to as ASAP.**
**(b) In using said ASAP the department shall: (i) cooperate with the department of children and families in the design and implementation of an ASAP process; (ii) consult with subject-matter experts to revise the screening, referral and risk assessment guidelines based on evidence-based practice; (iii) create a process for keeping the ASAP process current with evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for the safety of children in foster care or other out-of-home placements are informed about the process and have training in how to make referrals and incorporate risk-assessment and risk-management results into their case management and treatment planning. In partnership with the department, The Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition shall provide training to staff on the screening and assessment procedures for supporting decisions for safe placements.**
**SECTION____. Section 2 of chapter 18B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 31 to 33, inclusive, the words "and (17) child care placements for children whose families have an open case with the department," and inserting in place thereof the following words:- ; (17) child care placements for children whose families have an open case with the department; and (18) coordination with other state agencies on the use of an assessment process for safe and appropriate placement for out-of-home placement or foster care for a child, who has been adjudicated delinquent for a sexual offense or the commission of arson, or has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior.**
**SECTION____. Chapter 19 of the General Laws is hereby amended by adding the following section:-**
**Section 25. (a) The department shall, pursuant to its services provided in section 16 to children and in cooperation with**

**the department of children and families, in said department of children and families' provision of and administration for a comprehensive child welfare program for a child, who has been adjudicated delinquent for a sexual offense or the commission of arson, or has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior, use an assessment for safe and appropriate placement process, hereinafter referred to as ASAP.**
**(b) In using said ASAP the department shall: (i) cooperate with the department of children and families in the design and implementation of an ASAP process; (ii) consult with subject-matter experts to revise the screening, referral and risk assessment guidelines based on evidence-based practice; (iii) create a process for keeping the ASAP process current with evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for the safety of children in foster care or other out-of-home placements are informed about the process and have training in how to make referrals and incorporate risk-assessment and risk-management results into their case management and treatment planning. In partnership with the department, The Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition shall provide training to staff on the updated screening and assessment procedures for supporting decisions for safe placements.**
**SECTION____. Chapter 19B of the General Laws is hereby amended by inserting after section 13, the following section:- Section 13A. (a) The department shall, pursuant to its services provided in this chapter and in cooperation with the department of children and families, in said department of children and families' provision of and administration for a comprehensive child welfare program for foster care for a child, who has been adjudicated delinquent for a sexual offense or the commission of arson, or has admitted to such behavior, or is the subject of a documented or substantiated report of such behavior, adhere to the ASAP process, hereinafter referred to as ASAP.**
**(b) In using said ASAP the department shall (i) cooperate with the department of children and families in the design and implementation of an ASAP process; (ii) consult with subject-matter experts to revise the screening, referral and risk assessment guidelines based on evidence-based practice; (iii) create a process for keeping the ASAP process current with evolving evidence-based practice standards; and (iv) ensure that all staff with responsibilities for the safety of children in foster care or other out-of-home placements are informed about the process and have training in how to make referrals and incorporate risk-assessment and risk-management results into their case management and treatment planning. In partnership with the department, The Massachusetts Adolescent Sex Offender Coalition and the Juvenile Firesetters Coalition shall provide training to staff on the updated screening and assessment procedures for supporting decisions for safe placements.**
**SECTION____. Section 33B of chapter 119 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 10-11, the words 'and a recommendation as to the type of appropriate and safe placement for the child'.**
**SECTION____. Said chapter 119 is hereby further amended by inserting after the word, 'child,' in line 10, the following:- 'and a recommendation that includes safety and supervisions needs, treatment needs, and caregiver training and support needs'."**
**The amendment was *rejected*.**

**Ms. Spilka, Ms. Jehlen, Mr. Brownsberger, Ms. Chang-Diaz and Messrs. Donnelly and Joyce moved that the bill be amended in section 2 by inserting the following item:-**
**"xxxx-xxxx For residential assessment and placement programs for homeless elders……. $186,000".**
**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 at the end thereof the following:- "; provided further that not less than the amount of $250,000 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*.**

**Ms. Spilka moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting at the end thereof the following words:- "; provided further, that not less than $150,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts;" and in said item by striking out the figure "$81,050,683" and inserting in place thereof the figure "$81,200,683".**
**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 at the end thereof the following:- "; and that not less than $200,000 shall be expended for the Bilingual Veterans Outreach Centers of Massachusetts, Inc. in Springfield formally known as the Puerto Rican Veterans Association of Massachusetts, Inc.".**
**The amendment was *rejected*.**

**Mr. Kennedy moved that the proposed new text be amended in section 2, by inserting after item 4120-4000 the following item:**
**"xxxx-xxxx For a phenylketonuria (PKU) program providing patient education and support for people diagnosed with**

**PKU or related disorders and their families; provided, that such funds shall be expended as grants to NECPAD, a support organization for such patients and their families…….…….. $50,000".**
**The amendment was *rejected*.**

**Mr. Kennedy 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 for purposes of providing convenient, efficient, and cost-effective health services to children in the home setting, the Division of Health Care Finance & Policy shall amend the formula used to determine continuous skilled nursing care rates for single and multi-patient home health service pursuant to chapter 118G of the General Laws by attributing no less than 30 percent of the rate to the indirect cost component used to determine payment to agencies; and no more than 10 percent of the rate to the indirect cost component used to determine payment to an individual practitioner".**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following new section:-**
**"Section 1 of Chapter 111M as appearing in the 2010 Official Edition is hereby amended by inserting after the word "plans" in line 46 the following :-**
**(m) an out-of-state employer provided health plan regardless whether if the health plan meets the definition of 'minimum creditable coverage' as established by the board of the connector."**
**The amendment was *rejected*.**

**Messrs. Keenan and Rush 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, any person admitted to a hospital emergency room in the Commonwealth for the treatment of mental illness or substance abuse and a determination has been made that an inpatient admission is required either by an ESP team, psychiatrist or the Emergency Department physician, the person's insurance and any entity with whom they contract to manage behavioral health benefits, including the Medicaid managed care organizations and any entity with whom they contract to manage behavioral health benefits for MassHealth members, shall be required to participate in the location of an appropriate bed within 24 hours after the determination has been made. If an appropriate bed is not located within 24 hours, the inpatient psychiatric per diem rate shall be paid to the emergency department upon billing until an appropriate bed is located; provided further, that while the patient is boarded in the emergency department, psychiatric care by licensed mental health professionals shall commence and said licensed mental health professional shall be compensated for such services under appropriate billing codes; provided further that ESP teams shall be compensated for every follow-up encounter with patients awaiting inpatient admission after more than 24 hours in an Emergency Department."**
**The amendment was *rejected*.**

**Ms. Lovely and Mr. Knapik 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 cost increases for patient behavioral health providers shall be included and funded in the F.Y. 14 capitated rate for the PPC mental health and substance abuse plan".**
**The amendment was *rejected*.**

**Ms. Lovely, Ms. Clark and Messrs. Joyce and Montigny moved that the proposed new text be amended in section 2, in item XXXX-XXXX:**
**"For 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……..$350,000".**
**The amendment was *rejected*.**

**Ms. Lovely and Messrs. Knapik and Joyce moved that the proposed new text be amended in section 2, in item 5011-0100, by striking out the figure "$27,275,844 " and inserting in place thereof the following figure:- "$27,532,107".**
**The amendment was *rejected*.**

**Ms. Lovely, Mr. Rodrigues, Ms. Donoghue, Mr. Michael O. Moore, Ms. Spilka, Ms. Clark and Mr. Donnelly moved that the proposed new text be amended in section 2, in item 5055-0000, by inserting after the word "department" the following:- "provided that funds may be expended for juvenile court clinics"; and in said item, by striking out the figures "$8,321,818" and inserting in place thereof the figures "$8,801,818".**
**The amendment was *rejected*.**

**Ms. Lovely and Messrs. Rush, Kennedy, Timilty, Michael O. Moore, Eldridge and McGee moved that the bill be amended, in section 2, in item 1410-0251, by adding at the end thereof the following: "provided further that $245,300 be expended for an elevator for the New England Center for Homeless Veterans"; and in said item, by striking out the figures "$2,646,544" and inserting in place thereof the following figures:- "$2,891,844".**
**The amendment was *rejected*.**

**Ms. Lovely, Ms. Chang-Diaz and Messrs. Joyce, McGee and Brownsberger moved that the proposed new text be amended in section 2, in item 4512-0200, by inserting after "court adjudicated indigent clients" the following:- "and provided further, that $400,000 shall be expended for integrated treatment and stabilization services for individuals and families living with co-occurring substance use and mental health disorders"; and in said item by striking out the figures "$81,050,683" and inserting in place thereof the following figure:- "$84,096,690".**
**The amendment was *rejected*.**

**Mr. DiDomenico 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 not less than $25,000 shall be expended to fund the Charlestown Against Drugs (CHAD) program"; and in said item, by striking out the figures "$81,050,683" and inserting in place thereof the figures "81,075,683".**
**The amendment was *rejected*.**

**Mr. Rush, Ms. Creem, Mr. Brownsberger, Ms. Clark, Messrs. Eldridge and Keenan and Ms. Spilka moved that the bill be amended in section 2, by inserting after item 4513-1026 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 *rejected*.**

**Messrs. Downing and Wolf moved that the proposed new text be amended by inserting, after section 72, the following new section:-**
**"SECTION XX. Section 8A of chapter 118e of the General Laws, as inserted by chapter 224 of the acts of 2012, is hereby amended by striking the definition of 'sole community provider' and inserting in place thereof the following definition:- 'Sole community provider', any acute hospital which qualifies as a sole community provider under Medicare regulations or under regulations promulgated by the executive office. Those regulations shall consider factors including, but not limited to, isolated location, weather conditions, travel conditions, percentage of Medicare, Medicaid and free care provided and the absence of other reasonably accessible hospitals in the area; provided, that such hospitals shall include those which are located more than 20 miles driving distance from other such hospitals in the commonwealth and which provide services for at least 60 per cent of their primary service area."**
**The amendment was *rejected*.**

**Mr. Barrett moved that the proposed new text be amended in section 2, in item 4400-1000, by striking out the figure "$61,312,902" and inserting in place thereof the following figure:- "$64,303,826".**
**The amendment was *rejected*.**

**Messrs. Tarr and Montigny moved that the proposed new text be amended in section 2, in item 4000-1405, by inserting, after the word "basis" in line 10 thereof, the following:- "provided further that individuals deriving more than 50% of their income from commercial groundfishing and affected by the regulatory changes taking effect on May 1, 2013 may be eligible to receive benefits from this item".**
**The amendment was *rejected*.**

**Mr. Barrett moved that the proposed new text be amended in section 2, in item 4800-0041, by striking out the figure "$206,488,950" and inserting in place thereof the following figure:- "$212,967,991".**
**The amendment was *rejected*.**

**Messrs. Barrett and Eldridge moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting, in line 10, after the word "resources" the following words:- "; provided further, that funds shall be expended for staff support for the Health Disparities Council".**
**The amendment was *rejected*.**

**Ms. Creem moved that the proposed new text be amended in section 88, by striking out subsection (a) and inserting in place thereof the following subsection:--**
**"(a) Each employer, subject to section 14 of Chapter 151A and non-profit employers subject to section 14A of chapter 151A, shall pay, in the same manner and at the same times as the director of unemployment assistance prescribes for the contribution required by said section 14, an employer medical assistance contribution. The employer medical assistance contribution shall be computed by multiplying the wages the employer paid its employees by the employer medical assistance contribution rate of .36 per cent; provided, however, that employers who employ 5 or fewer employees and governmental employers as described at subsection (i) of Section 1 of Chapter 151A shall not be required to pay such employer medical assistance contribution. The purpose of the employer medical assistance contribution shall be to support the provision of subsidized health care services funded by the Commonwealth Care Trust Fund and the Health**

**Safety Net Trust Fund".**
**The amendment was *rejected*.**

**Mr. Barrett moved that the proposed new text be amended in section 2, in item 4800-1100, by striking out the figure "$171,921,284" and inserting in place thereof the following figure:- "$173,569,698".**
**The amendment was *rejected*.**

**Mr. Hedlund moved that the proposed new text be amended in section 2, in item 4800-0038, in line 12, by inserting after "services;" the following:- "provided 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. This revenue may include operational costs".**
**The amendment was *rejected*.**

**Mr. Downing moved that the proposed new text be amended in section 2, in item 4000-0700, by inserting at the end thereof the following:- "provided further that no less than $750,000 shall be expended for a competitive grant program administered by the department, to provide financial support for costs associated with establishing or expanding provider services in designated dental healthcare provider shortage areas"; and by striking out the figure "$2,138,226,061" and inserting in place thereof the figure "$2,138,976,061".**
**The amendment was *rejected*.**

**Messrs. DiDomenico, Donnelly and Brownsberger moved that the proposed new text be amended in section 2, in item 1410-0010, by adding at the end thereof the following: "and provided further, that not less than $90,000 shall be expended for support services for a transitional housing program for homeless veterans located in Chelsea, Massachusetts"; and in said item, by striking out the figures "$2,541,487" and inserting in place thereof the figures "$2,631,487".**
**The amendment was *rejected*.**

**Ms. Clark moved that the proposed new text be amended in section 2, in item 4000-0700, by adding at the end thereof the following: "; and provided further, that the executive office shall factor in no less than $51,000,000 in additional funding from this line-item, or item 4000-0500, for the purpose of improving hospital payment rates in fiscal year 2014; and provided further, the executive office shall not make any offsetting reductions to hospital payment rates and shall provide other customary payment rate adjustments to hospital reimbursement methodologies".**
**The amendment was *rejected*.**

**Mr. Wolf moved that the proposed new text be amended in section 2, in item 4000-0300, by adding the following: "; provided further, that the Executive Office of Health and Human Services and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services, housing, and travel costs associated with traveling to and from said islands".**
**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 no less than $150,000 shall be expended for the Berkshire County Youth Development Program".**
**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, that programs shall receive the same percentage of funding in fiscal year 2014 as received in fiscal year 2013".**
**The amendment was *rejected*.**

**Ms. Clark, Mr. Rush, Ms. Spilka and Messrs. Donnelly and McGee moved that the proposed new text be amended in section 2, in item 5911-1003, by adding at the end thereof the following: "provided that $100,000 shall be expended for the Massachusetts Down Syndrome Congress, which may expend funds for programs including the printing and distribution of educational materials".**
**The amendment was *rejected*.**

**Ms. Clark and Messrs. Rush and McGee moved that the proposed new text be amended in section 2, in item 4000-0300, by adding at the end thereof the following: "provided that $500,000 be expended for the work of the Massachusetts Unaccompanied Homeless Youth Commission to determine the scope of need among unaccompanied youth and young adults ages 24 and younger 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 in said item, by striking out the figures "$88,105,815" and inserting in place thereof the figures "$88,605,815".**
**The amendment was *rejected*.**

**Ms. Candaras moved that the proposed new text be amended in section 2, in item 4800-0015, by striking out the figure "$68,828,898" and inserting in place thereof the following figure:- "$69,452,219".**
**The amendment was *rejected*.**

**Mr. Barrett, Ms. Candaras, Messrs. Brownsberger, Rodrigues and Knapik, Ms. Spilka, Messrs. Joyce, Michael O.Moore, Eldridge, Finegold and Wolf and Ms. Clark moved that the bill be amended, in section 2, in item 5920-5000, by striking out the figure "$6,000,000" and inserting in place thereof the following figure:- "$8,000,000".**
**The amendment was *rejected*.**

**Messrs. Barrett and Brownsberger, Ms. Chang-Diaz and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 4800-0040, by inserting after the word "department" in line 3 the following: "; and pursuant to the intention of the Title IV-E waiver which will result in an estimated $5,000,000 in federal revenue for stabilization services;"; and in said item by striking out the figure "$45,510,551" and inserting in place thereof the following figure:- "$48,000,000".**
**The amendment was *rejected*.**

**Mr. Hedlund moved that the proposed new text be amended in section 2, in item XXXX-XXXX, by inserting after item 4513-1026 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 $125,000 to the Louis D. Brown Peace Institute, a community-based support organization dedicated to serving families and communities impacted by violence.....$ 125,000".**
**The amendment was *rejected*.**

**Messrs. Finegold, Eldridge and Michael O. Moore, Ms. Spilka, Messrs. Brownsberger and McGee and Ms. Creem moved that the proposed new text be amended in section 2, in item 4403-2119, by striking out the figure "$9,194,372" and inserting in place thereof the following figure:- "$9,200,000".**
**The amendment was *rejected*.**

**Mr. Barrett, Ms. Jehlen, Ms. Chang-Diaz and Messrs. Michael O. Moore and Eldridge moved that the proposed new text be amended in section 2, in item 4400-1100, by striking out the figure "$62,084,483" and inserting in place thereof the following figure:- "$65,297,173".**
**The amendment was *rejected*.**

**Mr. Wolf moved that the proposed new text be amended in section 2, in item 5920-2010, by striking out the figure "63,942,324" and inserting in place thereof the following:- $64,742,324.**
**The amendment was *rejected*.**

**Ms. Chang-Diaz and Messrs. Knapik, Wolf, Michael O. Moore and Eldridge moved that the proposed new text be amended in section 2, in item 4510-0110, by inserting at the end thereof 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)"; and in said item, by striking out the figure "$969,933" and inserting in place thereof the following figure:- "4,000,000".**
**The amendment was *rejected*.**

**Mr. Barrett, Ms. Creem, Mr. Brownsberger, Ms. Jehlen and Messrs. Eldridge, Michael O. Moore and McGee moved that the proposed new text be amended in section 2, in item 4401-1000, 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 the young parent program shall receive not less than $3,447,571; provided further, that funds from this item may be expended on former recipients of the program for up to 1 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; provided further, that not less than $50,000 shall be provided for learning disability assessments through the University of Massachusetts; provided further, that not less than $1,000,000 shall be expended for transportation benefits for recipients of transitional aid to families with dependent children; provided further, that not less than $794,000 shall be expended for programs operated through the office for refugees and immigrants; provided further, that not less than $100,000 shall be expended for the DTA Works internship program; provided further, that the department of transitional assistance shall file a report with the house and senate committees on ways and means not later than March 3, 2014; provided further, that the report shall include the number of clients served by these programs; provided further, that when applicable, the report shall include the number of clients who transition into employment, the number of clients who remain in**

**employment after 90 days and the number of clients who remain in employment after 1 year; provided further, that the report shall include other quantifiable data related to client outcomes as designed by these programs; provided further, that the department shall examine the outcomes of these programs to determine which are effective in transitioning clients to employment and increased self-sufficiency; provided further, that the department shall consider other programs to meet transitional employment needs of clients; and provided further that $4,500,000 shall be expended for the competitive integrated employment service program…… $9,891,571".**
**The amendment was *rejected*.**

**Ms. Creem, Ms. Spilka and Messrs. Barrett and Michael O. Moore moved that the proposed new text be amended in section 2, in item 4401-1000, by striking the figure "$460,966" and inserting in place thereof the figure "$1,000,966"; and by striking the figure "$4,284,733" and inserting in place thereof the figure "$4,824,733".**
**The amendment was *rejected*.**

**Messrs. Wolf and Downing moved that the bill be amended by inserting, after section ___, the following new section:- Section XX Section 253 of Chapter 224 of the Acts of 2012 is hereby amended in line 6805 by inserting after the word "services," the following: "group insurance commission,".**
**The amendment was *rejected*.**

**Ms. Creem and Mr. Michael O. Moore moved that the proposed new text be amended, in section 2, in item XXXX-XXXX, by inserting after item 4408-1000 the following item:**
**"4510-0020 For the department of public health, which may expend not more than $233,000 in revenues collected from fees charged by the food protection program for program costs of the food protection program; provided, that notwithstanding any general or special law to the contrary, for the purpose of accommodating timing discrepancies between the receipt of retained revenue and related expenditures, the department may incur expenses and the comptroller may certify for payment amounts not to exceed the lesser of this authorization or the most recent revenue estimate as reported in the state accounting system..... $233,000".**
**The amendment was *rejected*.**

**Messrs. Wolf and Downing moved that the proposed new text be amended in section 2, in item 4000-0300, in line 63, by inserting after "increases;" the following: "provided further, that the executive office shall implement, in its entirety and without being subject to adjustment for the entire fiscal year, Section 253 of Chapter 224 of the Acts of 2012 for its managed care and primary care clinician programs;".**
**The amendment was *rejected*.**

**Ms. Jehlen moved that the proposed new text be amended Chapter 139 of the acts of 2012 is hereby amended by striking out section 204 in its entirety and inserting in place thereof the following section:-**
**"SECTION 204. There shall be a special commission to make an investigation and study of elder protective services and to make recommendations to enhance said services where appropriate and necessary. The special commission shall consist of the house and senate chairs of the committee on elder affairs, or their designees, who shall serve as co-chairs; the secretary of elder affairs, or a designee; the commissioner of public health, or a designee; the attorney general, or a designee; a district attorney as designated by the Massachusetts District Attorneys Association; the president of the Massachusetts Chiefs of Police Association, or a designee; the executive director of the Massachusetts Association of Home Care Programs, or a designee; the head of the elder, health and disability unit of Greater Boston Legal Services, Inc., or a designee; the state director of AARP Massachusetts, or a designee; the executive director of the Massachusetts Association of Councils on Aging Inc., or a designee; the executive director of Jane Doe, Inc., or a designee; the executive director of the Massachusetts office of victim assistance, or a designee; the president of the Alzheimer's Association, or a designee; and 5 members appointed by the governor, 1 of whom shall be a member of the Massachusetts bar who practices in the area of elder law, 1 of whom shall be an expert in financial services, 1 of whom shall be a representative of a visiting nurse association, 1 of whom shall be an expert in geriatric mental health, and 1 of whom shall be chosen from a list consisting of 2 candidates submitted by the speaker of the house and 2 candidates submitted by the senate president. The commission shall examine strategies to increase public awareness of elder abuse and mechanisms for reporting said abuse. The commission shall assess the funding and programming needed to enhance elder protective services to the growing elder population and examine best practices for the prevention and detection of elder abuse. The commission shall also examine methods for addressing the high cost of financial exploitation investigations and expanding the availability of affordable legal services and financial advisory services for elders. The commission shall also examine the development of elder abuse multidisciplinary teams to provide consultation on protective services cases and perform critical incident case reviews.**
**The commission, in formulating its recommendations, shall take into account the best policies and practices in other states and jurisdictions, including, but not limited to, those relating to elder abuse prevention strategies. The commission shall be empowered to hold regular public meetings, fact-finding hearings and other public forums as it considers necessary. The commission shall file its recommendations, together with recommendations for legislation, if any, with the clerks of the house of representatives and senate on or before December 31, 2013."**
**The amendment was *rejected*.**

**Ms. Candaras and Messrs. Brownsberger, Donnelly, Keenan, Kennedy and Knapik moved that the proposed new text be amended in section 2, in item 7004-0102, by striking out, after the word "of", the following figure:- "$25" and inserting in place thereof the following figure:- "$30"; and by striking out the figure "$40,250,335" and inserting in place thereof the following figure:- "$44,047,646".**
**The amendment was *rejected*.**

**Mr. Wolf, Ms. Candaras and Messrs. Brownsberger and McGee moved that the bill be amended, in section 2, in item 4512-0103, by striking the number "$32,108,793" and inserting in place thereof the figure "$33,108,793".**
**The amendment was *rejected*.**

**Messrs. Finegold and Joyce and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 4590-0915, by striking out the figure "$146,044,923" and inserting in place thereof the following figure:- "$148,879,167".**
**The amendment was *rejected*.**

**Ms. Candaras and 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 not more than $9,000,000 shall be allocated for the expenses of the administration of the Health Safety Net Office"; by striking out sections 77, 79, 80 and 81 in their entirety; and by striking out section 78 in its entirety and insert in its place the following:**
**"SECTION 78. Said chapter 118E is hereby further amended by striking out section 66, as so appearing, and inserting in place thereof the following section:-**
**Section 66. (a) There shall be established and set up on the books of the commonwealth a fund to be known as the Health Safety Net Trust Fund, in this section and in sections 67 to 69, inclusive, called the fund, which shall be administered by the Health Safety Net Office, hereinafter the office. Expenditures from the fund shall not be subject to appropriate on unless otherwise required by law. The purposes of the fund shall be: (i) to maintain a health care safety net by reimbursing hospitals and community health centers for a portion of the cost of reimbursable health services provided to low-income, uninsured or underinsured residents; and (ii) to support a portion of the costs of the Medicaid program under this chapter and the commonwealth care health insurance program under chapter 118H. The office shall administer the fund using methods, policies, procedures, standards and criteria for the proper and efficient operation of the fund and programs funded by it in a manner designed to distribute the fund resources as equitably as possible. The secretary of administration and finance, in consultation with the secretary of health and human services, shall determine annually the estimated expenses to administer the fund.**
**(b) The fund shall consist of all amounts paid by acute hospitals and surcharge payors under sections 67 and 68, all appropriations for the purpose of payments to acute hospitals or community health centers for health services provided to uninsured and underinsured residents, any transfers from the Commonwealth Care Trust Fund, established under section 2OOO of chapter 29, and all property and securities acquired by and through the use of monies belonging to the fund and all interest thereon. The office shall expend amounts in the fund, except for amounts transferred to the Commonwealth Care Trust Fund, for payments to hospitals and community health centers for reimbursable health services provided to uninsured and underinsured residents of the commonwealth, consistent with the requirements of this section and section 69 and the regulations adopted by the office. The office shall also expend not more than $6,000,000 annually from the fund for demonstration projects that use case management and other methods to reduce the liability of the fund to acute hospitals. Any amounts collected from surcharge payors in any year in excess of $160,000,000, adjusted to reflect applicable surcharge credits, shall be transferred to the General Fund to support a portion of the costs of the Medicaid and commonwealth care health insurance programs. Any annual balance remaining in the fund after these payments have been made shall be transferred to the Commonwealth Care Trust Fund. All interest earned on the amounts in the fund shall be deposited or retained in the fund. The director shall from time to time requisition from the fund amounts that the director considers necessary to meet the current obligations of the office for the purposes of the fund and estimated obligations for a reasonable future period."**
**The amendment was *rejected*.**

**Mr. Kennedy, Ms. Clark and Messrs. Rodrigues, Barrett and Rush 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 provide additional reimbursement to the pediatric hospital in the Commonwealth, above the base rates, to compensate for high-complexity pediatric care in an amount no less than $11,800,000 and to the pediatric specialty unit in the Commonwealth in an amount no less than $3,000,000;".**
**The amendment was *rejected*.**

**Messrs. Kennedy, Timilty, Rush, Knapik, Michael O. Moore and Welch. Ms. Candaras, Ms. Chang-Diaz, Messrs. Rodrigues, Barrett, Wolf, Donnelly and Finegold, Ms. Lovely, Ms. Spilka, Ms. Creem, Mr. Joyce, Ms. Donoghue, Mr. Tarr, Ms. Clark and Messrs. Keenan, Brownsberger, Eldridge and McGee moved that the proposed new text be amended in section 2, in item 4000-0640, by adding at the end thereof the following: - "provided further that effective July 1, 2013 for the fiscal year ending June 30, 2014, the executive office of health and human services shall establish nursing facility**

**MassHealth rates that fully recognize the Medicaid share of the nursing home assessment established by section 63 of chapter 118E of the General Laws".**
**The amendment was *rejected*.**

**Ms. Chang-Diaz, Messrs. Donnelly, Rodrigues, Finegold, Michael O. Moore and DiDomenico, Ms. Candaras, Messrs. Knapik, Welch, Kennedy, Brownsberger and Montigny, Ms. Donoghue and Messrs. Eldridge and McGee 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:- "10,000,000".**
**The amendment was *rejected*.**

**Ms. Candaras and Messrs. Welch, Knapik and Finegold moved that the proposed new text be amended in section 2, in item 4590-1507, by adding at the end therefor the following: "provided further, that not less than $200,000 shall be expended for the Square One in the City of Springfield".**
**The amendment was *rejected*.**

**Ms. Jehlen and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 4000-0940, by striking out the figure "$453,877,324" and inserting in place thereof the figure:- "$460,907,878".**
**The amendment was *rejected*.**

**Messrs. Rush, Montigny, Brownsberger, Keenan and Eldridge and Ms. Clark moved that the proposed new text be amended in section 2, in item 4590-0300, by striking the figure "$4,018,489" and inserting in place thereof the following figure:- "$8,500,000".**
**The amendment was *rejected*.**

**Ms. Chang-Diaz, Ms. Clark and Messrs. Knapik and DiDomenico moved that the proposed new text be amended in section 2, in item 4590-1506, by striking out the figure "$1,501,220" and inserting in place thereof the following figure:- "2,000,000".**
**The amendment was *rejected*.**

**Ms. Candaras moved that the proposed new text be amended in section 2, in item 4000-0300, by inserting at the end the following words:- "provided further, that effective January 1, 2014 the executive office shall use the most current and best available data in developing inpatient and outpatient hospital reimbursement rates; provided further, that the executive office shall calculate the inpatient efficiency standard based on the 90th percentile of total statewide hospital discharges; provided further, that the executive office shall provide an inpatient and outpatient rate adjustment for disproportionate share hospitals of 5% in addition to the base rate".**
**The amendment was *rejected*.**

**Messrs. McGee, Keenan, Barrett and Finegold and Ms. Lovely moved that the proposed new text be amended in section 2, in item 5920-3010, in line 2, by adding the following: "provided that $1,613,086 shall be used for staffing of autism support centers statewide" ; and in said item, by striking out the figure "$4,613,086" and inserting in place thereof the following figure: "$5,063,086".**
**The amendment was *rejected*.**

**Ms. Candaras and Mr. Knapik moved that the proposed new text be amended in section 2, in item 5920-2010, by striking out the figure "189,938,363" and inserting in place thereof the following:- "$191,438,363".**
**The amendment was *rejected*.**

**Mr. Tarr moved that the proposed new text be amended in section 2, in item 5095-0015, by adding at the end thereof the following:- "provided, that the department shall identify individuals in its facilities who should be ready for discharge if there were adequate community services available to support such individuals in community settings; provided further, that the department shall develop an analysis detailing the number of such individuals, the average time they have been ready for discharge, the time they are likely to wait before discharge, the cost of providing the necessary service for them to be supported in the community, the potential sources of funding to meet that cost, and any impediments for such discharges; provided further, that such analysis shall be filed with the clerks of the house and senate and the house and senate committees on ways and means not later than January 1, 2014".**
**The amendment was *rejected*.**

**Mr. McGee moved that the proposed new text be amended in section 2, in item 4530-9000, by adding 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. Brownsberger, DiDomenico, Knapik, Kennedy and Joyce, Ms. Lovely, Messrs. Michael O. Moore and Barrett, Ms. Clark, Messrs. Eldridge and McGee, Ms. Spilka and Mr. Wolf moved that the proposed new text be**

**amended in section 2, in item 5920-3010, by striking out the figure"$3,000,000" and inserting in place thereof the following figure:-"$5,000,000"; in said item by inserting after the words "under said waiver" the following words:- ", including but not limited to establishing two regularly scheduled enrollment periods per year; provided further that the department shall take all steps necessary to increase capacity of the program to 500 children by July of 2016, subject to appropriation;"; and in said item by striking out the figure "$4,613,086" and inserting in place thereof the figure:- "$6,613,086".**
**The amendment was *rejected*.**

**Ms. Jehlen and Messrs. Brownsberger and Donnelly moved that the proposed new text be amended in section 2, in item 4590-1507, by striking out the words "that each organization previously included in the youth-at-risk grants shall receive in fiscal year 2014 a grant in an amount not less than that received in fiscal year 2013" and inserting in place thereof the following words:- "that the department of public health shall award not less than $100,000 to the Center for Teen Empowerment, Inc."; and in said item by striking out the figure "$2,950,000" and inserting in place thereof the figure:- "$3,050,000".**
**The amendment was *rejected*.**

**Ms. Candaras and Mr. Welch moved that the bill be amended, in section 2, in item 4000-0300, by adding at the end thereof the following words:- "and provided further, that the Office of Medicaid, in calculating rates of inpatient and outpatient services for neonatal intensive care units (NICU) with at least 55 licensed beds within an acute hospital that has at least 109 pediatric intensive NICU licensed beds shall provide an additional reimbursement to the hospital above the base rates to compensate for high complexity care in an amount no less than $950,000".**
**The amendment was *rejected*.**

**Messrs. Rush and Brownsberger moved that the bill be amended, in section 2, in item 4516-1010, by adding at the end thereof the following: "provided further, that not less than $1,000,000 shall be expended to the City of Boston's Public Health Department for emergency preparedness and ambulance services at public events"; and in said item, by striking the figure "2,200,257" and inserting in place thereof the figure "3,200,257".**
**The amendment was *rejected*.**

**Mr. Richard T. Moore moved that the proposed new text be amended in section 2, in item 4100-0060, by inserting at the end thereof the following:- "; provided further, that in calculating the assessed amount on certain health care providers and surcharge payors to fund the expenses of the center, the center shall assume that no less than 33.3 percent of the center's expenses and fringe benefits are funded by the commonwealth, including filing fees; fees and charges generated by publications or dissemination of reports and information; and federal financial participation received by the commonwealth for services provided by the center".**
**The amendment was *rejected*.**

**Messrs. Keenan and Joyce moved that the proposed new text be amended be amended by inserting after Section ____, the following new section:-**
**"Section ____. The Center for Health Information and Analysis shall conduct an assessment of existing public and private acute care behavioral health services for children and adolescents. Said assessment shall include the need for acute inpatient beds/care for children and adolescents including seasonal fluctuations; the types and number of acute care placements available; the number of children who are turned away, or are waiting for inpatient beds including those stuck in inappropriate placements( including emergency departments, medical and surgical beds and home); the rates paid for said services by public and private payors; the adequacy of these rates to enable providers to support the unique needs of children and adolescents.**
**In formulating said assessment The Center shall consult with the Department of Mental Health, Mass Health, the Department of Public Health, the Division of Insurance, service providers, families of children with mental health conditions and other stakeholders.**
**The report on the assessment shall contain recommendations for establishing and maintaining an adequate number of placements, strategies for addressing seasonal fluctuations and whether any inadequacy in these rates is indicative of a violation of mental health parity laws.**
**A report of the assessment shall be filed with the clerk of the House of Representatives and the clerk of the Senate Not later than October 31, 2013."**
**The amendment was *rejected*.**

**Ms. Chang-Diaz and Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section __ 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 at the end of subsection (6) the following words:- ', 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'."**
**The amendment was *rejected*.**

**As previously stated, the above amendments were considered as one, and were rejected.**
**Mr. Tarr and Ms. O'Connor Ives moved that the proposed new text be amended by inserting, after section ____, the following new section :-**
**"SECTION 2 of chapter 29 of the General Laws is hereby amended by adding the following new section:-**
**Section _. (a) There is hereby established and set up on the books of the commonwealth, a separate fund to be known as the Essex Regional Emergency Communications Center Fund to be administered by the Essex county sheriff. The fund shall be used for the operation of the Essex Regional Emergency Communications Center (RECC) to provide centralized emergency communication services to participating communities.**
**(b) There shall be credited to the fund amounts from the following sources:**
**(1) The per capita assessment based on population on each member city or town that has accepted and executed the RECC Intermunicipal Agreement for the Joint Provision of Public Safety Communications, Dispatch and Operations Services (IMA); and**
**(2) Any other funding, including, but not limited to, appropriation, gift, grant, contribution, transfer or investment.**
**(c) The Essex county sheriff shall annually assess on each member city or town its proportionate share of the net costs of operating the RECC in accordance with the annual budget approved by the finance advisory board established by the IMA. The sheriff shall certify such costs for the ensuing fiscal year to the department of revenue to be included as an assessment on each participating city or town's cherry sheet.**
**(d) Amounts credited to the fund shall be available for expenditure by the Essex county sheriff, without further appropriation. Expenditures from the fund shall be made for the operating costs of the RECC in compliance with the annual operating plan and budget adopted by the finance advisory board under the IMA. Any unexpended balance in the fund shall not revert and shall be available for in the subsequent fiscal year; provided, however, that any unexpended balance from the state 911 department funding shall revert to said department;**
**(e) The Essex county sheriff, in consultation with the director of the RECC, shall report annually to the general court its planned expenditures for the next fiscal year; the expenditures made in the last fiscal year; and the balance remaining in the fund. The report shall be filed on or before October 31 with the clerks of the house of representatives and senate and forwarded to the house and senate committees on ways and means.**
**(f) Notwithstanding any special of general law to the contrary the Essex County Regional Communications Center may obtain private liability insurance.**
**(g) The state comptroller shall exempt the Essex County Sheriff's Department from all applicable charges or assessments made a against grants to the Essex County Regional Communications Center pursuant to its authority under sections 5D and 6B of chapter 29 of the General Laws."**
**The amendment was *rejected*.**

**Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended by inserting, after section __, the following new section:-**
**"SECTION__. Section 1 of chapter 60A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end of the seventh paragraph, in line 129, the following:- Any veteran seeking an exemption under this paragraph shall not be required to possess a disabled veteran license plate, issued pursuant to section 2 of chapter 90."**
**Pending the question on adoption of the amendment, Mr. Keenan moved that the pending amendment (Tarr et al) be amended by inserting after the word "chapter 90" the following: - "provided further, section 1. Section 1 of Chapter 60A of the General Laws, as appearing in the 2010 official edition, is hereby amended in line 95 by inserting after the word 'owned' the words:- 'or leased'.".**
**The further amendment (Keenan) was rejected.**
**The pending amendment (Tarr et al) was then considered; and, it was rejected.**
**Messrs. Tarr, Michael O. Moore, Knapik 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 criminal history systems board, in consultation with the board of probation, shall study the number and case violations of M.G.L.c. 140, §129C and M.G.L.c. 269 §10 since its adoption, provided further that said study shall include but not be limited to the number of individuals who have served minimum mandatory sentences pursuant to these laws, the instances where a violation of the law was charged but no conviction for a lesser offence following an initial change for a violation of these laws, and the cases where a violation of these laws was changed that resulted in the disposition of 'continued without a finding'.**
**The board shall complete said report not later than October 1, 2013 and file it with the clerks of the House and the**

**Senate."**
**After remarks, the amendment was *rejected*.**

**Messrs. Ross, Tarr and Knapik moved that the proposed new text be amended by adding the following new section:- "SECTION XX. Notwithstanding any general or special law to the contrary, a commission shall be established to study the effectiveness of a statewide registry of persons convicted for knowingly or intentionally manufacturing, distributing, dispensing, or possessing with the intent to distribute a controlled substance as defined by section 31 of chapter 94C of the General Laws, for use by the general public. The goal of the commission shall be to review current policies and methods of tracking such convicted persons, the role of such convicted persons in other crimes, and to examine the potential impacts to public safety of a statewide registry, accessible by the public. The commission shall make a full report to the legislature with recommendations for legislation to create a registry of those convicted for knowingly or intentionally distributing or dispensing controlled substances, or improve the tracking of known persons who knowingly or intentionally distribute or dispense controlled substances. The commission shall consist of the secretary of public safety and security, or his designee; the commissioner of the department of public safety, or his designee; the superintendent of the state police, or his designee; 2 members of the house of representatives that are chosen by the speaker; the house minority leader, or designee; 2 members of the senate, chosen by the senate president; the senate minority leader, or designee; and 1 member chosen by the governor. Said commission shall determine the scope of the crime that may dictate who shall be included on the registry and what information shall be included on the registry. Said commission shall submit said report back to the legislature with findings and recommendations for legislation on or before December 31, 2013."**
**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at nineteen minutes before twelve o'clock noon, on motion of Mr. Tarr, as follows, to wit *(yeas 5 — nays 33)* [Yeas and Nays No. 61]:**
**YEAS.**
**Finegold, Barry R. Ross, Richard J.**
**Hedlund, Robert L. Tarr, Bruce E. − 5.**
**Knapik, Michael R.**
**NAYS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**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.**
**Clark, Katherine M. O'Connor Ives, Kathleen**
**Creem, Cynthia Stone Pacheco, Marc R.**
**DiDomenico, Sal N. Petruccelli, Anthony**
**Donnelly, Kenneth J. Rodrigues, Michael J.**
**Donoghue, Eileen M. Rosenberg, Stanley C.**
**Downing, Benjamin B. Rush, Michael F.**
**Eldridge, James B. Spilka, Karen E.**
**Flanagan, Jennifer L. Timilty, James E.**
**Jehlen, Patricia D. Welch, James T.**
**Joyce, Brian A. Wolf, Daniel A. − 33.**
**Keenan, John F.**

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

**Mr. Ross moved that the proposed new text be amended in section 2, in item 8900-0001, by inserting after the words, "homeland security" the following words:- "; provided further, that the department shall expend no less than the amount provided for in chapter 61 of the acts of 2007 to the municipality hosting the Bay State Correctional Center".**
**The amendment was *rejected*.**

**Ms. O'Connor Ives, Ms. Donoghue, Ms. Creem, Messrs. Joyce and Montigny, Ms. Lovely, Mr. Tarr and Ms. Clark moved that the proposed new text be amended in section 2, in item 8200-0200, by striking out the figure "$2,512,968" and inserting in place thereof the following figure:-"$3,012,968".**
**Remarks of Senator Kathleen O'Connor Ives.**
**Thank you, Madame President, and through you to the members, – I would like to take this opportunity to thank you and every member of this Massachusetts Senate for the warm welcome you've shown to me as a new member to this august body. I rise to speak on the floor of the Senate today in support of an amendment about which I feel strongly.**
**What is the worth of a well-trained police force?**
**We know through recent experience about the value of providing consistent and high-quality police training. Now, we need to invest and support their efforts so our officers are equipped to respond to public safety challenges with confidence and success.**

**Today, Massachusetts ranks 50th. We're at the very bottom of the list of states in the U.S. for funding municipal police training.**

**I speak in support of an amendment to increase funding to the Municipal Police Training Committee in the amount of $500,000.**

**The Municipal Police Training Committee is an agency of the Executive Office of Public Safety & Security which serves the Commonwealth by establishing standards, and provides training to the 17,000 men and women who serve as municipal police officers in the Commonwealth.**

**We should, in fact, be leading the way and setting the standard for cutting-edge, comprehensive and uniform police training. Our standards and systems for training should be the model to which other states aspire.**

**Funding has fluctuated greatly for the Municipal Police Training Committee over the past 25 years, making it hard to develop systems and efficiencies in training procedures.**

**Not only does approval of this amendment send a clear message that we value recruit training and in-service training for our municipal police officers, the tangible result will be ongoing and refresher training to ensure officers maintain the knowledge and skill levels needed to keep themselves safe, and the public safe.**

**The problem is that the municipal police training committee has lost the ability to proactively train police for day to day challenges—let alone emerging issues. There is no reliable funding mechanism to support training, and municipal police officers rely solely on legislative appropriation.**

**Yet, we know proper training is key to the quality public safety we seek. There isn't sufficient funding right now to develop critical specialized curricula for best practices in the areas of search and seizure, incident response, SWAT team, officer safety and building searches, to reference only a few areas of increasing complexity.**

**In addition, resources are insufficient to meet the demand for statutorily-mandated classes like sergeant and detective basic training.**

**Nor does the Municipal Police Training Committee have the capacity to evaluate training standards, or confirm that mandatory training standards are being met.**

**Fortunately, the State Police were sufficiently funded, so they may continue to respond to public safety needs with optimal systems. Today, I seek parity for municipal police training. Over 200 departments and agencies responded to the public safety needs and developments that ensued after the Marathon attacks, including officers from police departments in many of the districts of my colleagues here in this chamber.**

**In the example of police searches of buildings, it's critical that officers implement the same tactics and terminology for successful outcomes. Each department should not apply individual methods for responding to incidents that involve multiples municipalities and jurisdictions. Quality training impacts how rapid, targeted, and uniform officer response will be.**

**The Massachusetts Municipal Police Committee seeks to update its curriculum. Their recruit curriculum hasn't been updated since 1996. Staffing has been slashed from 60 employees during the 1980s, to a current staff of 21.**

**Counter to the trend of under-funding the Municipal Police Training Committee, adequate investment will enable them to advance important long-term goals, one of which is the ability to offer training to develop specific career-training paths for officers, such as K-9 units, school resource officers, and sergeants. Currently, specialized training takes place only when federal funding is available.**

**Moreover, continued investment in municipal police officer training lays the groundwork for an initiative with widespread support—and that is, to create a Peace Officers Standards & Training system. A POST system is a model adopted in most states throughout the country, establishing minimum standards for the training and certification applicable to all officers exercising police powers. For example, in Connecticut, their POST system creates statewide, model policies and procedures, and adopts and enforces professional standards for certification and decertification of officers. There has been a Special Commission on Massachusetts Police Training co-chaired by the esteemed Senator from the town of Walpole, which produced a July 2010 report recommending the implementation of a statewide Peace Officers Standards & Training system in Massachusetts.**

**This Commission also recognized that issues pertaining to mental illness in emergency response require specialized and updated training statewide.**

**I'm confident that you've been contacted by your police chiefs, whether they serve small towns, suburbs, or large cities, voicing the need and importance of quality and consistent recruit and in-service training.**

**Police chiefs in my district have told me that supporting these training programs is one of the most important and lasting measures we can take in the legislature to support the work of their departments.**

**All of the 17,000 police officers in our cities and towns deserve the same quality and continued training no matter what community they serve.**

**Currently, departments are often left to apply standards on their own. We don't want 351 different ways to interpret and instruct standards.**

**Funding to the Municipal Police Training Committee also means training for instructors, so they can attain certification in critical skill areas, such as firearms, defensive tactics, medical first responder skills, and CPR.**

**I ask you to appreciate that in years past, police chiefs could send officers to the Municipal Police Training Committee for instruction. Now, the Municipal Police Training Committee can only offer curriculum and not instruction. It's now incumbent upon city and town police departments to fill the training gap, and determine how they will track training.**

**As such, Massachusetts lacks a comprehensive registry of training for police officers currently serving, and there are no**

**mechanisms to track curriculum uniformity. This funding history is not conducive to fostering career staff for instruction continuity.**
**The Municipal Police Training Committee has added web-based distance learning for logistical and financial efficiencies, but even with this successful initiative, officer interest has outpaced staff capacity and the training needs remain unmet. Municipal police training is akin to an unfunded mandate. Where the public at large has high expectations for officer performance, and I imagine our individual expectations are high in each instance we encounter a police officer or ask officers to respond to an emergency, the time has come for us to meet their expectations and support an opportunity for access to the high-quality training they deserve.**
**We need to seize this moment to reverse the trend in funding and, instead, move Massachusetts to the forefront in leading the way for new recruit, in-service, and specialized municipal police training. Now is the time to demonstrate our value of world-class police officers by our actions in addition to our words.**
**I request that when a vote be taken, it be taken by a call of the yeas and nays.**
**Thank you, Madame President.**
**On motion of Mr. Richard T. Moore, the above remarks were ordered printed in the Journal of the Senate.**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes before twelve o'clock noon, on motion of Ms. O'Connor Ives, as follows, to wit *(yeas 38 — nays 0)* [Yeas and Nays No. 62]:**
**YEAS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**
**NAYS − 0.**

**Mr. Richard T. Moore in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair), the yeas and nays having been completed at two minutes before twelve o'clock noon, the amendment was adopted.**
**Messrs. Tarr, Michael O. Moore, Hedlund, Knapik 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 Municipal Police Training Committee shall develop a plan for the establishment of one or more permanent facilities to provide training in the use of firearms and the operation of motor vehicles, provided that such plan shall take into account factors including but not limited to geographic location and access for police departments throughout the Commonwealth, the existence and availability of property which is in use or could be adapted to use for these purposes, the relative benefits of leasing facilities for these purposes versus purchasing them, and the estimated costs of establishing such facilities.**
**Said plan shall be completed not later than nine months following the passage of this act and shall be filed with the clerks of the House of Representatives and Senate, the committees on ways and means of the House and Senate, and the Joint Committee on Public Safety."**
**The amendment was *rejected*.**

**Mr. Knapik, Ms. Candaras and Messrs. Hedlund and Ross moved that the proposed new text be amended by inserting, after section 144, the following new section:-**
**"SECTION XX. Notwithstanding any general or special law to the contrary, the inspector general shall conduct an investigation and study of the Massachusetts firearm licensing system administered under the authority of the executive office of public safety and security firearms records bureau. The study shall be financed with funds from the Firearms Record Keeping Trust Fund, established in section 131, subsection (i) of chapter 140 and the Firearms Fingerprint Identity Verification Trust Fund, established in section 2LLL, chapter 29 of the General Laws,**
**The investigation shall identify the length of processing applications for Licenses to Carry Firearms and Firearm**

**Identification Cards, the responsibility of oversight and authority of the state over the system, the process for recording denials and/or restrictions of licenses or cards, the notification of applicants specifically outlining the reasons for any such restrictions or denials, and appeals and compliance with all state and federal laws and mandates. The inspector general shall report any preliminary findings to the secretary of public safety and security, the joint committee on public safety and homeland security and the joint committee on state administration and regulatory oversight on or before October 30, 2013, and issue a final report on or before March 1, 2014. Said report shall be made available to the public through websites operated by the executive office of public safety and security and the legislature."**
**After remarks, the amendment was *rejected*.**

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**There being no objection, during consideration of the Orders of the Day, the following matter was considered as follows:**
**PAPER FROM THE HOUSE**
**Engrossed Bill.**
**An engrossed Bill authorizing the Mayor of the city of Somerville to posthumously appoint Sean A. Collier a police officer for the city of Somerville (see House, No. 3450) (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 Acting President (Mr. Richard T. Moore) and laid before the Governor for his approbation.**

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**Orders of the Day.**
**The Orders of the Day were further considered as follows:**
**The House Bill making appropriations for the fiscal year two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.**
**Messrs. Ross, Tarr and Knapik moved that the proposed new text be amended by adding the text of Senate document numbered 1850, relative to drug trafficking registry.**
**The amendment was *rejected*.**

**Messrs. Ross, Knapik, Tarr and Hedlund moved that the proposed new text be amended by adding the following new section:-**
**"SECTION XX. SECTION 1. Subsection 6 of section 129B of chapter 140 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in lines 141 - 143, the words 'A firearm identification card shall be valid for the purpose of purchasing and possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate.'**
**SECTION 2. Subsection 7 of section 129B of chapter 140, as so appearing, is hereby amended by striking out, in lines 155 - 159, the words 'If a firearm identification card is issued for the sole purpose of purchasing or possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate, such card shall clearly state that such card is valid for such limited purpose only.'**
**SECTION 3. Subsection 9B of section 129B of chapter 140 of the General Laws is hereby repealed.**
**SECTION 4. Subsection C of section 131 of chapter 140, as so appearing, is hereby amended by striking out, in lines 94 - 96 the words ', and for purchasing and possessing chemical mace, pepper spray or other similarly propelled liquid, gas or powder designed to temporarily incapacitate,'."**
**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 "$19,534,166" and inserting in place thereof the following figure:- "$22,262,968".**
**After remarks, the amendment was *rejected*.**

**Ms. Creem, Messrs. Joyce, Keenan and Timilty and Ms. Lovely moved that the proposed new text be amended in section 2, in item 8200-0200, by inserting after the word "that", the following words:- "the municipal police training committee shall review and report on its current training curriculum and course of instruction on handling complaints from or against persons with mental illness and developmental disabilities; provided further, that said review and report shall be conducted in consultation with the National Alliance on Mental Illness Massachusetts and other groups and individuals having an interest and expertise in the field of mental health and community-based treatment, and shall include recommendations to improve, expand and implement the provisions of such training; provided further, that such report shall be filed with the house and senate clerks and with the chairs of the joint committee on public safety and homeland security not later than December 1, 2013; and provided further, that".**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twelve minutes past twelve o'clock noon, on motion of Ms. Creem, as follows, to wit *(yeas 38 — nays 0)* [Yeas and Nays No. 63]:**
**YEAS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**

**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**
**NAYS − 0.**

**The yeas and nays having been completed at a quarter past twelve o'clock noon, the amendment was adopted.**
**Mr. Timilty moved that the proposed new text be amended in section 2, in item 8311-1000, by striking out the figure "$4,549,214" and inserting in place thereof the following figure:- "$4,594,435".**
**The amendment was *rejected*.**

**Messrs. Timilty, Rodrigues, Michael O. Moore, Knapik and Finegold, Ms. Donoghue, Mr. McGee and Ms. Clark moved that the proposed new text be amended in section 2, in item 8000-0106, by striking out the figure "$19,096,853" and inserting in place thereof the following figure:- "$20,755,463".**
**After remarks, the amendment was *rejected*.**

**Mr. Timilty moved that the proposed new text be amended in section 10 by inserting after the words "juvenile justice" in line 137 the following:- "and 1 of whom shall be a member of the Massachusetts Chiefs of Police Association".**
**The amendment was *rejected*.**

**Recess.**
**At twenty-five minutes past twelve o'clock noon, at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Mr. Richard T. Moore) declared a recess; and, at eleven minutes before three 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 two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.**
**Ms. Chandler and Ms. Clark moved that the proposed new text be amended by inserting after section 68 the following section:-**
**"SECTION 68A. Section 20 of chapter 90 of the General Laws, is hereby amended by striking out the figure '$37.50', inserted by section 96 of chapter 139 of the acts of 2012, and inserting in place thereof the following figure:- $50.00.";**
**By inserting after section 69 the following section:-**
**"SECTION 69A. Section 24 of said chapter 90 is hereby amended by striking out the figure '$187.50', inserted by section 97 of said chapter 139, and inserting in place thereof, in each instance, the following figure:- $250."; and by inserting after section 141 the following section:-**
**"SECTION 141A. Sections 68A and 69A shall take effect on March 1, 2014."**
**After remarks, the amendment was adopted.**
**Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting, after section __, the following new section:-**
**"SECTION__. Section 1 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the definition for 'Electronic Message', the following definition:-**
**'Legal residence' a person who is a citizen or permanent legal resident of the United States or is otherwise legally present in the United States under federal immigration laws."**
**The amendment was *rejected*.**

**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. Section 2 of chapter 90 of the General Laws, as appearing in the 2010 Official Edition, is hereby**

**amended by striking out the first and second paragraphs and inserting in place thereof the following 2 paragraphs:— Applications for the registration of motor vehicles and trailers may be made by the owner thereof. If the owner is a corporation, sole proprietorship or business entity, the application shall contain, in addition to such other particulars as may be required by the registrar, the name of the corporation, sole proprietorship or business entity and the full address, including the street, city or town, state and zip code. If the owner is a sole proprietorship, the application shall contain a social security number and contain an employer identification number or federal tax identification number from the Internal Revenue Service, if one has been issued. If the applicant is a natural person, the application shall contain, in addition to such other particulars as may be required by the registrar, the name of the applicant, full residential address, date of birth and license number or identification card number issued by the registrar, if such license or card has been issued. The application of a natural person shall also contain the apartment number or unit number if the applicant's address is in an apartment house, family hotel, condominium or a residential flat or is in a combined business and residential property. Except as otherwise provided in this chapter, no registration shall be issued to a natural person for a motor vehicle or trailer unless such person holds a license, identification card issued under section 8E, social security number issued by Social Security Administration or other proof of legal residence issued under the authority of the federal or state governmental agency; provided, however, that the registrar shall provide by regulation for exemptions for out-of-state students, military personnel, senior citizens and disabled persons; provided, further, that the registrar may provide by regulation additional exemptions which would be consistent with the purpose of this section. The application shall also contain a brief description of the motor vehicle or trailer to be registered, including the name of the maker, such number or numbers as may be required by the registrar to properly identify the vehicle, the character of the motor power and the type of transmission and a statement signed by the applicant under the penalties of perjury that no excise tax liabilities on such motor vehicle are outstanding and incurred by the applicant, a member of the applicant's immediate family who is a member of the applicant's household or any business partner of 'the applicant. The registration fee, as required under section 33, shall accompany such application. Applicants for registration shall also comply with chapter 90D.**

**The registrar or the registrar's duly authorized agents shall keep a record of motor vehicles and trailers that satisfy application requirements, assign to each motor vehicle and trailer a distinguishing mark or number to be known as the register number for that vehicle or trailer, and shall thereupon issue to the applicant a certificate of registration. If the owner is a corporation, sole proprietorship or business entity, the certificate shall contain the name and address of the corporation, sole proprietorship or business entity and the register number or mark and shall be in such form and contain such further information as the registrar may determine. If the owner is a natural person, the certificate shall contain the name, place of residence and address of the applicant and the register number or mark and shall be in such form and contain such further information as the registrar may determine."**

**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seven minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 13 — nays 25)* [Yeas and Nays No. 64]:**

**YEAS.**

**Donoghue, Eileen M. Pacheco, Marc R.**
**Hedlund, Robert L. Rodrigues, Michael J.**
**Knapik, Michael R. Ross, Richard J.**
**Lovely, Joan B. Rush, Michael F.**
**Moore, Michael O. Tarr, Bruce E.**
**Moore, Richard T. Timilty, James E. − 13.**
**O'Connor Ives, Kathleen**

**NAYS.**

**Barrett, Michael J. Flanagan, Jennifer L.**
**Brewer, Stephen M. Jehlen, Patricia D.**
**Brownsberger, William N. Joyce, Brian A.**
**Candaras, Gale D. Keenan, John F.**
**Chandler, Harriette L. Kennedy, Thomas P.**
**Chang-Diaz, Sonia McGee, Thomas M.**
**Clark, Katherine M. Montigny, Mark C.**
**Creem, Cynthia Stone Petruccelli, Anthony**
**DiDomenico, Sal N. Rosenberg, Stanley C.**
**Donnelly, Kenneth J. Spilka, Karen E.**
**Downing, Benjamin B. Welch, James T.**
**Eldridge, James B. Wolf, Daniel A. − 25.**
**Finegold, Barry R.**

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

**Messrs. Tarr, Hedlund and Knapik moved that the proposed new text be amended by inserting after section _ the following sections:-**

**"SECTION 1. Section 22F of Chapter 90 of the General Laws, as appearing in the 2008 Official Edition, is hereby**

**amended by striking out, in line 57, the word 'four' and inserting in place thereof the following word:- five.**
**SECTION 2. Section 22F of Chapter 90, as so appearing, is hereby further amended by striking out, in lines 66-68, the following sentence:- An appeal to the superior court may be had, in accordance with the provisions of chapter thirty A, from any order of the registrar of motor vehicles made under the provisions of this section.**
**SECTION 3. Section 22F of Chapter 90, as so appearing, is hereby further amended by inserting at the end thereof the following paragraph:-**
**Any person previously deemed an habitual offender under this section who has not had their license or right to operate a motor vehicle restored to them by the registrar for a period of more than 5 years and who is convicted of operating a motor vehicle while under the influence of intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1) of section 24; operating a motor vehicle recklessly or negligently so that the lives and safety of the public might be endangered; making a false statement in an application for a learner's permit or motor vehicle operator's license or in an application for a registration of a motor vehicle; going away without making known his name, residence and the registration number of his vehicle after knowingly colliding with or otherwise causing injury to any person, other vehicle or property, all in violation of paragraph (a) of subdivision (2) of section 24; operating a motor vehicle after suspension or revocation of the person's motor vehicle operator's license or his right to operate motor vehicles in violation of section 23; operating a motor vehicle without a license in violation of section 10; or the commission of any felony in the commission of which a motor vehicle is used, shall be deemed a level 3 habitual traffic offender and the registrar shall immediately revoke such person's license or right to operate and shall not issue a new license or reinstate the right to operate for a period up to life but not less than 5 years from the date of revocation, nor until such person has satisfactorily completed a driver improvement course approved by the registrar and has passed such examination as to his competence to operate motor vehicles as the registrar may require.**
**Any person previously deemed an habitual offender under this section who has not had their license or right to operate a motor vehicle restored to them by the registrar for a period of more than 5 years and who is convicted of 3 or more convictions of offenses which are required by any provision of law to be reported to the registrar and for which the registrar is authorized or required to suspend or revoke the person's license or right to operate motor vehicles for a period of 30 days or more, shall be deemed a level 2 habitual offender and the registrar shall immediately revoke such person's license or right to operate and shall not issue a new license or reinstate the right to operate to such person for a period of not less than 5 years from the date of revocation nor more than 15 years from such date of revocation, nor until such person has satisfactorily completed a driver improvement course approved by the registrar and has passed such examination as to his competence to operate motor vehicles as the registrar may require. Provided further, that any person previously deemed a level 2 habitual offender under this section who has not had their license or right to operate a motor vehicle restored to them by the registrar for a period of 5 years and is convicted of operating a motor vehicle while under the influence of intoxicating liquor or narcotic drugs in violation of paragraph (a) of subdivision (1) of section 24; operating a motor vehicle recklessly or negligently so that the lives and safety of the public might be endangered; making a false statement in an application for a learner's permit or motor vehicle operator's license or in an application for a registration of a motor vehicle; going away without making known his name, residence and the registration number of his vehicle after knowingly colliding with or otherwise causing injury to any person, other vehicle or property, all in violation of paragraph (a) of subdivision (2) of section 24; operating a motor vehicle after suspension or revocation of the person's motor vehicle operator's license or his right to operate motor vehicles in violation of section 23; operating a motor vehicle without a license in violation of section 10; or the commission of any felony in the commission of which a motor vehicle is used; or 2 or more convictions of offenses which are required by any provision of law to be reported to the registrar and for which the registrar is authorized or required to suspend or revoke the person's license or right to operate motor vehicles for a period of 30 days or more, shall be deemed a level 3 habitual offender and the registrar shall immediately revoke such person's license or right to operate and shall not issue a new license or reinstate the right to operate for a period up to life but not less than 5 years from the date of revocation, nor until such person has satisfactorily completed a driver improvement course approved by the registrar and has passed such examination as to his competence to operate motor vehicles as the registrar may require. The registrar may revoke from any level 3 habitual offender who has had their license or right to operate restored and who commits an automobile law violation, as defined in section 1 of chapter 90C, the license or right to operate for a period up to life. The registrar may further issue to any habitual traffic offender who has satisfied the durational license revocation requirements provided for in this section a new license or reinstate such person's right to operate under such terms and conditions as the registrar deems appropriate and necessary. Nothing in this section shall limit the authority of the registrar to revoke a license or right to operate or issue a new license or reinstate the right to operate under section 24 of chapter 90. An appeal to the superior court may be had, in accordance with the provisions of chapter 30A, from any order of the registrar of motor vehicles made under the provisions of this section."**
**After debate, the amendment was *rejected*.**

**Mr. Richard T. Moore moved that the proposed new text be amended by inserting, at the end thereof, the following new section:-**
**"SECTION X. Section 1 of chapter 90 of the General Laws is hereby amended by adding the following new definition:- 'Commercial Motor Vehicle,' shall mean any motor vehicle which is not a private passenger motor vehicle, antique motor car, motorcycle, auto home, house trailer, taxicab, ambulance, hearse, livery vehicle, or school pupil transport vehicle. A**

**commercial motor vehicle shall include the following vehicles:**
**(a) The vehicle has a gross vehicle weight rating or gross combination weight rating of 10,001 or more pounds; or**
**(b) The vehicle is designed to transport more than 15 passengers, including the driver; or**
**(c) The vehicle is used in the transportation of hazardous materials in a quantity requiring placarding in accordance with the Hazardous Materials Regulations of the United States Department of Transportation. Any commercial motor vehicle that singularly has a gross vehicle weight rating of 10,001 pounds or less and is designed to meet emissions standards, shall be submitted for an emissions inspection in addition to all applicable safety inspection requirements; or**
**(d) A single, full or semi-trailer, used in commerce, with a manufacturer's gross vehicle weight rating over 3,000 lbs; or**
**(e) Any vehicle which has a vehicle weight, or curb weight, of more than six thousand pounds, as per the manufacturer's description of said vehicle, unless such vehicle is a sport utility vehicle or passenger van, or a pickup truck or cargo van meeting the definition of private passenger vehicle; or**
**(f) Any vehicle which has five or more wheels on the ground.**
**Notwithstanding the aforementioned vehicles, a dual rear wheel pick-up truck registered by an individual other than a business, and not used for commercial purposes, shall not be classified as a commercial vehicle for purposes of registration."**
**The amendment was adopted.**
**Messrs. Keenan, Montigny, Michael O. Moore and Rosenberg moved that the proposed new text be amended in section 2, in item 4510-0722, by striking out the figure "$227,065" and inserting in place thereof the following figure:- "$827,605".**
**After remarks, 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 submit a 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 to peer review on or before January 31, 2014".**
**The amendment was adopted.**
**Messrs. Tarr, Knapik 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 executive office of health and human services, in collaboration with the commonwealth health insurance connector and the center for health information and analysis, shall, in increments of time not greater than six months, and for a period of not less than three years following the passage of this act, develop analyses of the cost impacts to the citizens, policyholders, employers, patients and state and municipal governments of the commonwealth of compliance with the federal Affordable Care Act. Such analyses shall include but not be limited to such factors as insurance premiums, copayments and deductibles, and the costs associated with compliance and reporting.**
**Such analyses shall be reported, together with any recommendations to reduce, mitigate or eliminate such cost impacts, with the clerks of the house and senate and the joint committee on health care financing, and shall be made available to the general public by electronic posting so as to provide convenient and searchable access to such analyses."**
**After debate, 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 Mr. Tarr, as follows, to wit *(yeas 4 — nays 34)* [Yeas and Nays No. 65]:**
**YEAS.**
**Hedlund, Robert L. Ross, Richard J.**
**Knapik, Michael R. Tarr, Bruce E. − 4.**
**NAYS.**
**Barrett, Michael J. Keenan, John F.**
**Brewer, Stephen M. Kennedy, Thomas P.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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. Timilty, James E.**
**Jehlen, Patricia D. Welch, James T.**
**Joyce, Brian A. Wolf, Daniel A. − 34.**

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

**Messrs. Petruccelli and Downing moved that the proposed new text be amended in section 2, in item 4512-0200, by adding the following words:- "; provided further, that programs in substantial regulatory and contractual compliance shall receive no less than the same level of funding in fiscal year 2014 as such programs received in fiscal year 2013; and provided further, that not less than $250,000 in additional funding shall be provided to the Gavin Foundation and Self-Esteem Boston over fiscal year 2013 expenditures"; and by striking out the figure "$81,050,683" and inserting in place thereof the following figure:- "$81,300,683".**
**The amendment was adopted.**
**Ms. Jehlen and Ms. Spilka and Messrs. Joyce, Michael O. Moore and DiDomenico moved that the proposed new text be amended by inserting the following new section:-**
**"There shall be a special commission to make an investigation and study of elder economic security and to make recommendations to increase elder economic security where appropriate and necessary. The special commission shall consist of the house and senate chairs of the committee on elder affairs, or their designees, who shall serve as co-chairs; the secretary of elder affairs, or a designee; the undersecretary of the office of consumer affairs and business regulation, or a designee; the executive director of the Massachusetts Association of Home Care Programs, or a designee; the state director of AARP Massachusetts, or a designee; the executive director of the Massachusetts Association of Councils on Aging Inc., or a designee; the president of the Alzheimer's Association, or a designee; the executive director of Massachusetts Senior Action Council, or a designee; the executive director of Mass. Association of Older Americans, or a designee; the director of the Gerontology Institute at UMass Boston, or a designee, a legal services attorney specializing in elder law, or a designee; and 4 members appointed by the governor, 1 of whom shall be a member of the Massachusetts bar who specializes in the area of elder law, 1 of whom shall be an expert in geriatric mental health, 1 of whom shall be an expert in financial services, and 1 of whom shall be an expert in home care service delivery.**
**The commission shall examine strategies to increase elder economic security and enable older residents to remain in the Commonwealth and in their communities. The commission shall assess older adults' current levels of economic security, identify the policy and program options now available to older adults, and consider best practices for enhancing elder economic security, including but not limited to, using measures such as the Massachusetts Elder Economic Security Standard. Finally, the commission will assess current state and local programming and related funding needed to increase economic security for the growing elder population.**
**The commission, in formulating its recommendations, shall take into account the best policies and practices in other states and jurisdictions. The commission shall be empowered to hold regular public meetings, fact-finding hearings and other public forums as it considers necessary.**
**The commission shall file its recommendations, together with recommendations for legislation, if any, with the clerks of the House of Representatives and Senate on or before June 30, 2014."**
**The amendment was adopted.**
**Messrs. Donnelly and Wolf moved that the proposed new text be amended in section 2, in item 4401-1000, by striking the figure "$4,284,733" and replacing it with the following figure:- "$7,899,506".**
**After remarks, the amendment was *rejected*.**

**Mr. Donnelly, Ms. Clark, Messrs. Keenan, Kennedy, Brownsberger and Wolf, Ms. Creem, Ms. Donoghue and Mr. Eldridge moved that the proposed new text be amended in section 2, in item 4516-1000, by striking the figure "$12,364,668" and replacing it with the following figure:- "$15,200,000".**
**After remarks, the amendment was *rejected*.**

**Messrs. Tarr, Knapik and Ross moved that the proposed new text be amended by inserting after section _ the following section:-**
**"SECTION _. Subsection (D) of section 2 of chapter 18 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following subsection:-**
**(e) providing a list of products and services of which or establishments at which purchases made with assistance from funds received under this chapter are prohibited. Said list shall be provided to an eligible individual prior to said individual receiving benefits under this chapter, receipt of which shall be evidenced by a signature."**
**After remarks, the amendment was *rejected*.**

**Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 4510-0615, by inserting after the words "nuclear power reactors;" the following:- "provided further, that in fiscal year 2014 an amount not less than in fiscal year 2013 shall be expended for the C-10 Research & Education Foundation of Newburyport for the purposes of providing radiological monitoring of the 6 Massachusetts communities within the plume exposure emergency planning zone of Seabrook Nuclear Power Plant".**
**After debate, the amendment was *rejected*.**

**Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 1410-0250, by adding at the end thereof the following words:- "; provided, that the department shall increase the amount appropriated to each program or its successor under this item in section 2 of chapter 139 of the Acts of 2012 by no less than 5 per cent in fiscal year 2014;".**
**The amendment was adopted.**

**Mr. Brownsberger and Ms. Chang-Diaz moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting at the end thereof the following:- "and provided further, that funds shall be expended at the same level as the prior fiscal year for jail diversion programs in municipalities that provide equal matching funds from other public or private sources".**
**The amendment was adopted.**
**Messrs. Timilty and Ross moved that the proposed new text be amended by adding at the end thereof the following new section:-**
**"SECTION X. Section 268 of Chapter 224 of the acts of 2012 is hereby amended by inserting after the word 'ACOs', each time it appears in said section, the words:- patient-centered medical homes."**
**The amendment was *rejected*.**

**Messrs. Tarr, Hedlund, Knapik and Ross moved that the proposed new text be amended by inserting after section _ the following sections:-**
**"SECTION _. Subsection D of section 2 of chapter 18 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking, in line 119, the word 'and'.**
**SECTION _. Subsection D of section 2 of chapter 18 of the General Laws, as so appearing, is hereby further amended by adding the following clauses:—**
**(g) the immediate 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 mail, but the mail communication has been returned to the department as undeliverable because the recipient no longer resides at said address; and**
**(h) the immediate termination of benefits to any recipient who has failed to provide the department with a social security number within 3 months of application for assistance, unless said person has good cause not to provide a social security number as provided for by the Immigration Nationality Act.**
**SECTION _. Paragraph 1 of section 22 of chapter 18 of the General Laws, as so appearing, is hereby amended by adding the following sentences:— Self-declarations by applicants or recipients shall be signed under the pains and penalties of perjury and shall not be accepted as the sole verification of categorical and financial eligibility during eligibility evaluations and reviews."**
**The amendment was *rejected*.**

**Mr. Rosenberg and Ms. Lovely moved that the proposed new text be amended in section 2, in item 1410-1616, by adding at the end thereof the following:- "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 preservation of Civil War related historic documents; provided further that not more than 10 per cent of this funding may be expended for the administration of this and other Civil War sesquicentennial projects"; and by striking out "$160,000" and inserting in place thereof the following:- "$360,000"**
**After remarks, the amendment was adopted.**
**Messrs. Knapik, Tarr, Hedlund and Ross moved that the proposed new text be amended by inserting after section 144, the following new section:-**
**"SECTION XX. Notwithstanding any general or special law to the contrary, there shall be a special commission established within the Health Policy Commission, as described in Chapter 224 of the Acts of 2012, to study and report on the future of health care provider financing. The commission shall consist of the executive director of health policy commission or a designee, who shall chair the commission; three appointees of the chair; one shall represent an academic medical center, one shall represent a safety net hospital, and one shall represent a community health center; representatives from the Massachusetts League of Community Health Centers, Blue Cross and Blue Shield of Massachusetts, the Massachusetts Medical Society, the Massachusetts Association of Health Plans, and the Massachusetts Hospital Association; the secretary of the executive office of health and human services, or a designee; the secretary of the executive office of administration and finance, or a designee; the executive director of the commonwealth health information and analysis (CHIA), or a designee; the commissioner of the department of insurance, or a designee; the house and senate chairs of the committee on health care financing, or their designees; the house and senate chair of ways and means, or their designees; the house and senate chairs of the committee on financial services, or their designees; and the house and senate minority leaders, or their designees.**
**The commission shall look at all audited and unaudited cost reports of hospitals and community health centers filed with the CHIA, all reports of layoffs and strikes in the health care marketplace, all reports of receiverships, all reports of missed payrolls, all reports of providers falling below positive operating margins, and all reports of declining revenues. The commission shall study the near and long term impacts of the Federal Affordable Care Act including but not limited to the loss of funding for Graduate Medical Education, the loss of reimbursement for bad debt, the impact on a per hospital basis of sequestration, the impact of a restructured insurance marketplace on providers, the federal reductions in Medicare rates, the federal reductions in Medicaid rates, the federal reductions in Disproportionate Share Rates, the federal reductions in Medicare physician rates, the potential loss of the Area Wage Index 'rural floor', the impact of federal plan design changes, the impact of purchasing health insurance through the 'Exchange', the potential shift away from employer sponsored coverage, the new plans' impact on provider participation in new Medicaid-like, commercial or blended plans, the potential for payor mix changes, and the reaction to premium volatility for the small group market on**

**providers by state regulators.**
**The commission shall explore the layered impact of assessments on providers to run an expanded state bureaucracy, the impact of using 2008 as a base year for Medicaid rates, the underfunding of MMCO contracts on providers that contract with MMCO's, the utilization of Federal Medicaid Assistance Percentages revenues in the Commonwealth, the impact of 1115 Waiver Spending on providers, the impact of tiered plans on struggling providers, the impact of limited networks on struggling providers and the non-coordinated use of funds available to assist distressed providers.**
**The commission shall analyze provider based programs that are not fully reimbursed by Medicaid and other governmental entities such as in-patient psychiatry, dental, addiction services, outliers and others.**
**The commission shall report its findings, recommendations, and plan for the Commonwealth to address where, how, and by whom critical services such as Neonatal Intensive Care, Burn Units, In-Patient Psychiatry and others will be funded, and how the Commonwealth maintains access to quality health care in the midst of existing and looming revenue losses by providers in the Commonwealth, to the joint committee on healthcare financing, the joint committee on financial services, and the house and senate committees on ways and means, together with drafts of legislation necessary to carry the recommendations into effect by filing the same with the clerks of the senate and house of representatives on or before January 1, 2014."**
**After remarks, the amendment was *rejected*.**

**Ms. Chandler, Messrs. Barrett and Brownsberger, Ms. Chang-Diaz, Ms. Creem, Messrs. Downing and Eldridge, Ms. Jehlen, Mr. Michael O. Moore and Ms. Spilka moved that the proposed new text be amended in section 2, in item 4000-0700, by adding the following words:-"; provided further, that not more than $13,000,000 shall be expended for fillings covered for all teeth for adult MassHealth members; and provided further, that not later than October 1, 2013, MassHealth shall report to the house and senate committees on ways and means the date at which full coverage for dental services may be restored given the funding level provided for those services;"; by striking out the figure "$2,138,226,061" and inserting in place thereof the following figure:- "$2,145,226,061"; and, in said section 2, in item 1595-5819, by striking out the figure "$339,078,633" and inserting in place thereof the following figure:- "$340,078,633".**
**The amendment was adopted.**
**Mr. Montigny moved that the proposed new text be amended in section 2, in item 1410-0012, by adding at the end thereof the following words:- "; provided further, that the department shall increase the amount appropriated to each program or its successor under this item in section 2 of chapter 139 of the acts of 2012 by no less than 5 per cent in fiscal year 2014".**
**After remarks, the amendment was adopted.**
**Ms. Spilka and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 4800-0038, by striking out the figure "$249,286,051" and inserting in place thereof the figure:- "$251,286,051".**
**The amendment was *rejected*.**

**Suspension of Senate Rule 38A.**
**Mr. Rush 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.**

**Ms. Chandler and Mr. Barrett moved that the proposed new text be amended in section 2, in item 4120-6000, by striking out the figure "$12,126,408" and inserting in place thereof the following figure:- "$12,215,519".**
**The amendment was *rejected*.**

**Mr. Eldridge, Ms. Chang-Diaz, Ms. Creem, Messrs. Brownsberger, Joyce, Montigny and Michael O. Moore, Ms. Clark and Messrs. Finegold and Rush moved that the proposed new text be amended in section 2, in item 4513-1130, by striking out the figure "$5,518,987" and inserting in place thereof the following figure:- "$5,718,990".**
**After remarks, the amendment was *rejected*.**

**Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 5046-0000, by inserting after the words "clubhouses in fiscal year 2014;" the following:- "provided further, that the department shall expend not less than the amount expended in fiscal year 2013 for programming for early detection, assessment and response to risk for psychotic illness".**
**The amendment was adopted.**
**Messrs. DiDomenico and Brownsberger, Ms. Creem, Mr. Joyce and Ms. Lovely moved that the proposed new text be amended in section 2, in item 4590-1503, by striking the figure "825,211" and inserting in place thereof the following figure:- "1,500,000".**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at fourteen minutes before five o'clock P.M., on motion of Mr. DiDomenico, as follows, to wit *(yeas 38 — nays 0)* [Yeas and Nays No. 66]:**
**YEAS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**

**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**
**NAYS − 0.**

**Mr. Rosenberg in the Chair, the yeas and nays having been completed at eleven minutes before five o'clock P.M., the amendment was adopted.**
**Ms. Spilka, Messrs. Knapik, Rodrigues, Kennedy and Eldridge and Ms. Donoghue moved that the proposed new text be amended in section 2, in item 4800-0030, by striking out the figure "6,000,000" and inserting in place thereof the figure:- "10,300,000".**
**The amendment was *rejected*.**

**Mr. DiDomenico and Ms. Clark 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".**
**The amendment was *rejected*.**

**Messrs. Hedlund and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. Paragraph (B) of section 2 of chapter 18 of the General Laws, as amended by section 1 of chapter 161 of the acts of 2012, is hereby further amended by adding the following clause:-**
**(k) require the use of photo identification on electronic transfer benefits cards for each eligible household member who is 18 years of age or older."**
**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at five o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 8 — nays 30)* [Yeas and Nays No. 67]:**
**YEAS.**
**Hedlund, Robert L. Ross, Richard J.**
**Kennedy, Thomas P. Rush, Michael F.**
**Knapik, Michael R. Tarr, Bruce E.**
**O'Connor Ives, Kathleen Timilty, James E. − 8.**
**NAYS.**
**Barrett, Michael J. Jehlen, Patricia D.**
**Brewer, Stephen M. Joyce, Brian A.**
**Brownsberger, William N. Keenan, John F.**
**Candaras, Gale D. Lovely, Joan B.**
**Chandler, Harriette L. McGee, Thomas M.**
**Chang-Diaz, Sonia Montigny, Mark C.**
**Clark, Katherine M. Moore, Michael O.**
**Creem, Cynthia Stone Moore, Richard T.**
**DiDomenico, Sal N. Pacheco, Marc R.**
**Donnelly, Kenneth J. Petruccelli, Anthony**
**Donoghue, Eileen M. 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. − 30.**

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

**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. Section 2 of chapter 18 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting at the end thereof the following new sentence:- No form of public assistance shall be granted to an individual who has not presented a valid Social Security number that has been verified."**
**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seventeen minutes past five o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 7 — nays 31)* [Yeas and Nays No. 68]:**
**YEAS.**
**Hedlund, Robert L. Rush, Michael F.**
**Knapik, Michael R. Tarr, Bruce E.**
**O'Connor Ives, Kathleen Timilty, James E. − 7.**
**Ross, Richard J.**
**NAYS.**
**Barrett, Michael J. Joyce, Brian A.**
**Brewer, Stephen M. Keenan, John F.**
**Brownsberger, William N. Kennedy, Thomas P.**
**Candaras, Gale D. Lovely, Joan B.**
**Chandler, Harriette L. McGee, Thomas M.**
**Chang-Diaz, Sonia Montigny, Mark C.**
**Clark, Katherine M. Moore, Michael O.**
**Creem, Cynthia Stone Moore, Richard T.**
**DiDomenico, Sal N. Pacheco, Marc R.**
**Donnelly, Kenneth J. Petruccelli, Anthony**
**Donoghue, Eileen M. 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. − 31.**
**Jehlen, Patricia D.**

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

**Messrs. Hedlund and Tarr moved that the proposed new text be amended by inserting after section ___, the following new sections:-**
**"SECTION ___. Section 5J of chapter 18 of the General Laws, as most recently amended by chapter 161 of the acts of 2012, is hereby further amended by striking the last sentence of the first paragraph of section 5J, and replacing it with the following sentence:—**
**A store owner who knowingly allows a prohibited electronic benefit transfer transaction in violation of this section, subsection (b) of section 5I, or section 5O, shall be punished by a fine of not less than $2500 for a first offense, by a fine of not less than $5000 for a second offense, and by a fine of not less than $10000 for a third or subsequent offense.**
**SECTION ___. Section 5J of Chapter 18 of the general laws, as so appearing, is hereby amended by inserting after subsection (c), the following new subsections:—**
**(d) The department shall promulgate rules and regulations to increase the education of benefit recipients and retail vendors regarding: statutory requirements of An act relative to online payments for EBT cash recipients under sections 5I and 5J of this chapter; personal financial management, banking, and budgeting; and the online payment system outlined in Section 26A of this chapter.**
**SECTION ___. Section 5N of Chapter 18 of the general laws, as so appearing, is hereby amended by inserting at the end thereof, the following new sections:—**
**Section 5O. (a) Notwithstanding any general or special law to the contrary, no later than**
**December 1, 2013, the department of transitional assistance shall establish and maintain an online application process for businesses wishing to apply to accept electronic benefit transfer cards at point of sale. All businesses that wish to accept electronic benefit transfer cards at point of sale shall apply online on the department's website. The list of businesses that shall not be approved includes, but is not limited to those establishments detailed in subsection (a) of section 5J of this chapter.**
**(b) The online application shall require, at minimum, the following information: name of store or business, including if different, corporation name or doing business as name; full address of business; owner name, owner phone number and address; standard industrial classification code; and an explanation of the business conducted by the establishment which includes the type of goods or merchandise sold.**

**(c) The department shall continuously maintain a list of any business, including, at minimum, all associated information as defined by subsection (b), declined by the department from accepting electronic benefit transfer cards. The list shall be made public on a quarterly basis.**
**(d) The online application shall include, at minimum, the following questions: Are you SNAP authorized?; Is this establishment a tavern or restaurant, as defined in section 1 of chapter 138 of**
**the General Laws?; and, Have you ever been prohibited from accepting SNAP or electronic benefit transfer cards under any name?. The online application shall include instructions requiring the applicant to agree to the following statement in order to accept electronic benefit transfer cards at point of sale: "I agree to abide by all state and federal laws governing the SNAP and direct cash assistance programs. I agree to report fraud immediately to the department of transitional assistance." The application shall be signed under the pains and penalties of perjury.**
**(e) Upon approval of the application, the department shall issue an authorization number to the owner of the business. The owner shall display said authorization number in an area conspicuous to customers of the business.**
**(f) Any store owner who knowingly accepts electronic benefit transfer cards without the approval of the department shall be subject to the fines and punishments outlined in subsection 5J of this chapter.**
**(g) The department shall promulgate all rules and regulations necessary to carry out this section.**
**Section 5P. Notwithstanding any general or special law to the contrary, direct cash assistance issued by the Commonwealth shall not be used for purchases in states other than Massachusetts and states contiguous to Massachusetts. For the purposes of this section, contiguous states shall mean: New Hampshire, Connecticut, Rhode Island, New York, and Vermont. The department of transitional assistance shall identify all violators on a monthly basis. Any eligible recipient who violates this section shall be disqualified from the program for not less than 3 months. The department shall notify the recipient that they must report in person to their local department of transitional assistance office to have their benefits reinstated. Any eligible recipient who violates this section for a second time shall be permanently disqualified from the direct cash assistance program.**
**SECTION ___. Section 22 of chapter 18 of the general laws, as so appearing, is hereby amended by inserting at the end of the first paragraph, the following sentence:—**
**Self-declarations by applicants or recipients shall not be accepted as verification of categorical and financial eligibility during eligibility evaluations and reevaluations.**
**SECTION ___. Chapter 18 of the general laws, as so appearing, is hereby amended by**
**inserting after section 26, the follow new section:—**
**Section 26A. (1)The department shall implement an online payment system accessible by computer or mobile device for cash assistance recipients to manage benefits and pay rent and utility bills by direct payment to a landlord or utility company by regularly deducting the amount of the rent or utility bill from the amount of the benefits otherwise payable to the recipient. The system shall, at minimum, allow recipients to track personal expenditures of cash assistance benefits, to view the balance of benefits received, and to orchestrate the direct regular payment of recipient rent and utility bills by the department. The department shall also consider including in the online payment system educational tools and suggestions regarding personal financial management, banking, and budgeting.**
**Whenever a determination is made that benefits have not been used in the best interest of the child or the assistance unit or other chronic misuse of benefits is occurring, the department shall manage the provision of benefits in the form of vendor payments with respect to rent and utilities. The department may presume mismanagement of benefits whenever shelter costs, including but not limited to, rent, heat, fuel, and utilities, have regularly not been met without reasonable cause. Upon an affirmative finding of the mismanagement of benefits by a recipient, the department shall re-examine the eligibility of said recipient to receive benefits.**
**At eligibility determinations and redeterminations, the department shall screen households to determine if they have chronically failed to pay rent and utilities to determine if it is appropriate to institute or terminate vendor payments and shall refer those households to the housing consumer education centers and community-based resources for assistance in meeting their expenses.**
**(2) No later than January 1, 2014, all cash assistance recipients shall have the option to manage benefits and pay rent and utility bills through the online payment system and shall receive cash assistance benefits equal to amount of the balance of benefits otherwise payable to the recipient following said online payments.**
**(3) No later September 1, 2014, all cash assistance recipients shall be required to pay rent and utility bills through the online payment system and shall receive cash assistance benefits equal to the amount of the balance of benefits otherwise payable to the recipient following said online payment.**
**(4) The department shall evaluate the online payment system and the number of recipients utilizing and not utilizing the system to pay rent and utility bills on a monthly basis. The department shall screen the households not utilizing the online payment system to determine if they have failed to pay rent and utilities and if they are using benefits in the best interest of the child or assistance unit. Following a determination of mismanagement of benefits, the department may reexamine recipient eligibility and investigate the possibility of eligibility fraud and shall manage the provision of benefits to said households in the form of vendor payments pursuant to subsection (1) of this section.**
**(5) The department shall promulgate all rules and regulations necessary to carry out this section."**
**After debate, the amendment was *rejected*.**

**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new sections:-**
**"SECTION ___. The Massachusetts State Treasurers Office shall instruct the Massachusetts State Lottery to develop a second chance game involving all lottery tickets and scratch tickets that are not winners. The purpose of the game is to increase the amount of scratch tickets and lottery tickets recycled and reduce the amount of scratch tickets and lottery tickets thrown away or littered.**
**SECTION ___. The second chance game must be operational no later than 180 days of the passage of this bill."**
**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes before six o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 10 — nays 28)* [Yeas and Nays No. 69]:**
**YEAS.**
**Donnelly, Kenneth J. Knapik, Michael R.**
**Finegold, Barry R. Lovely, Joan B.**
**Hedlund, Robert L. Rodrigues, Michael J.**
**Jehlen, Patricia D. Ross, Richard J.**
**Keenan, John F. Tarr, Bruce E. − 10.**
**NAYS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. McGee, Thomas M.**
**Brownsberger, William N. Montigny, Mark C.**
**Candaras, Gale D. Moore, Michael O.**
**Chandler, Harriette L. Moore, Richard T.**
**Chang-Diaz, Sonia O'Connor Ives, Kathleen**
**Clark, Katherine M. Pacheco, Marc R.**
**Creem, Cynthia Stone Petruccelli, Anthony**
**DiDomenico, Sal N. Rosenberg, Stanley C.**
**Donoghue, Eileen M. Rush, Michael F.**
**Downing, Benjamin B. Spilka, Karen E.**
**Eldridge, James B. Timilty, James E.**
**Flanagan, Jennifer L. Welch, James T.**
**Joyce, Brian A. Wolf, Daniel A. − 28.**

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

**Ms. Clark, Ms. Lovely and Mr. Joyce moved that the proposed new text be amended in section 2, in item 4510-3008, by striking out the figure "$125,049" and inserting in place thereof the following figure:- "$250,049".**
**Pending the question on adoption of the amendment, Ms. Murray and Messrs. Brewer and Tarr moved that the pending amendment (Clark et al) be amended by adding the following words:- "and by inserting after section 31 the following section:-**
**"SECTION 31A. Section 25A of chapter 111 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out the seventh paragraph, and inserting in place thereof the following paragraph:-**
**The department of public health may establish an Amyotrophic Lateral Sclerosis registry, to be known as the Argeo Paul Cellucci Amyotrophic Lateral Sclerosis Registry, by areas and regions of the commonwealth, with specific data to be obtained from urban, low and median income communities and minority communities of the commonwealth."**
**After remarks, the question on adoption of the further amendment (Murray, et al) was determined by a call of the yeas and nays, at three minutes past six o'clock P.M., on motion of Ms. Murray, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 70]:**
**YEAS.**
**Barrett, Michael J. Knapik, Michael R.**
**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.**
**Clark, Katherine M. Murray, Therese**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**

**Hedlund, Robert L. 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.**

**The yeas and nays having been completed at six minutes past six o'clock P.M., the further amendment (Murray, et al) was adopted.**
**The pending amendment (Clark, et al), as amended (Murray, et al), was then adopted.**
**Messrs. Tarr and Knapik moved that the proposed new text be amended by inserting after section _ the following section:-**
**"SECTION _. Section 1 of chapter 111M of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting, in line 46, at the end of the definition of the term 'Creditable coverage' the following:-**
**Minimum creditable coverage, as defined by the board under the authority granted herein, shall not require coverage for prescription drugs."**
**After remarks, the amendment was *rejected*.**

**Ms. Spilka, Mr. Montigny, Ms. Lovely and Messrs. Wolf, Kennedy, McGee, Joyce and Knapik moved that the proposed new text be amended in section 2, in item 7010-0005, by inserting at the end thereof the following words:- "; provided, that not less than $50,000 shall be expended for the purpose of peer-to-peer inclusion programs for students with intellectual disabilities through Best Buddies Massachusetts"; and, in said section 2, in said item 7010-0005 by striking out the figure "$13,837,895" and inserting in place thereof the following figure:- "13,887,895".**
**After remarks, the amendment was adopted.**
**Mr. DiDomenico, Ms. Creem, Mr. Welch, Ms. Spilka, Messrs. Eldridge and Brownsberger and Ms. Clark moved that the proposed new text be amended in section 2, in item 4401-1000, by adding at the end thereof the following: "and provided further, that not less than $794,000 shall be expended for programs operated through the Massachusetts Office of Refugees and Immigrants with whom the office entered into service agreements in fiscal year 2011"; and in said item, by striking out the figures "$4,284,733" and inserting in place thereof the figures "$5,078,733".**
**The amendment was *rejected*.**

**Messrs. DiDomenico, Welch, Knapik and Kennedy, Ms. Candaras, Messrs. Wolf, Rodrigues and Brownsberger, Ms. Creem, Messrs. Eldridge and McGee, Ms. Clark, Mr. Donnelly, Ms. Spilka, Messrs. Michael O. Moore and Petruccelli, Ms. Donoghue and Ms. Lovely moved that the proposed new text be amended in section 2, in item 4590-1507, by striking out the figures "$900,000" and inserting in palce thereof the following figures:- "$1,300,000"; and in said item, by striking out the figures "$2,950,000" and inserting in place thereof the figures "$3,350,000".**
**The amendment was *rejected*.**

**Messrs. DiDomenico and Michael O. Moore, Ms. Chang-Diaz, Messrs. Rodrigues and Brownsberger, Ms. Candaras, Ms. Clark, Messrs. Eldridge, Keenan, Kennedy and Knapik, Ms. Lovely, Mr. McGee, Ms. O'Connor Ives, Mr. Ross, Ms. Spilka and Messrs. Timilty, Welch and Wolf moved that the proposed new text be amended in section 2, in item 4513-1020, by inserting at the end thereof the following words: "provided further, that the department shall determine if it projects a surplus in this account on or before October 1, 2013; provided further that said surplus shall be used to fund early intervention program operating costs and expenses including but not limited to occupancy, personnel benefits, health insurance costs and salaries needed to recruit and retain certified early intervention specialists to preserve access to comprehensive early intervention services; and provided further, that no funds from this item shall revert and any surplus funds shall be used for said Early Intervention program operating costs"; and in said item by striking the figure "26,241,573" and inserting in place thereof the following figure:- "27,491,573".**
**After remarks, the amendment was adopted.**
**Ms. Chang-Diaz and Messrs. Michael O. Moore and McGee moved that the proposed new text be amended in section 2, in item 1410-1616, by adding after the words "Glory 54th Brigade" the following:- "; provided further, that not less than $100,000 shall be expended for the development and construction of a memorial in honor of Puerto Rican men and women who have served in the United States Armed Forces in every U.S. war and conflict from the Revolutionary War through the present day, upon a 100 per cent funding match from other public or private sources;"; and in said item, by striking out the figure "$160,000" and inserting in the place thereof the following figure:- "$260,000"**
**The amendment was *rejected*.**

**Ms. Creem and Messrs. Tarr, DiDomenico and Brownsberger moved that the proposed new text be amended in section 2, in item 4003-0122, by adding at the end thereof the following: "and provided further, that funds may be expended for the programmatic and administrative support of the agency's refugee and immigrant services".**
**After remarks, the amendment was adopted.**
**Ms. Candaras, Mr. Welch, Ms. Clark and Mr. Michael O. Moore moved that the proposed new text be amended in section 2, in item 4800-1400, by inserting after the word "women" the following words:- "; provided further, that the**

**department shall allocate $1,200,000 to contract with said emergency shelters to provide an additional 12 rooms; provided further, that not later than September 1, 2013 the executive office of health and human services shall report to the house and senate committees on ways and means on the estimated allocation of funds in fiscal year 2014 for each contracted shelter funded from this item"; and by striking out the figure:- "$21,630,532" and inserting in place thereof the following figure "$22,830,532".**

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

**Mr. Wolf, Ms. Candaras, Mr. DiDomenico, Ms. Clark, Ms. Jehlen, Ms. Chang-Diaz, Messrs. Barrett, Brownsberger, Donnelly, Rodrigues, Michael O. Moore, Timilty and Eldridge, Ms. Spilka and Ms. Creem moved that the proposed new text be amended, in section 2, in item 4513-1000, by striking the figures, "$4,671,112 " and inserting in place thereof the following figure, "$5,171,112".**

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

**Messrs. Richard T. Moore, Brownsberger and Montigny moved that the bill be amended in section 2, by inserting after item 1599-7104 the following item:**

**"xxxx-xxxx For a reserve for 1-time grants for the purchase of automated external defibrillators, with possible applicants to include municipalities and school districts, including regional school districts, for use in schools, senior centers or senior housing complexes; provided, that grants shall be made available in the form of 50 per cent matching grants to be administered by the executive office of public safety and homeland security; provided further, that grants may include matching funds for training in the use of such equipment and cardio-pulmonary resuscitations; provided further, that local matching funds may be provided through the municipality or school district by local appropriation or through donations from non-profit organizations or individual, corporate or foundation gifts; and provided further, that nothing contained herein shall limit the ability of the executive office of public safety and homeland security to obtain the equipment through a bulk purchase arrangement to maximize the number of grants that may be made through these funds …… $500,000".**

**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eighteen minutes before seven o'clock P.M., on motion of Mr. Montigny, as follows, to wit *(yeas 38 — nays 0)* [Yeas and Nays No. 71]:**

**YEAS.**

**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**
**NAYS − 0.**

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

**Mr. Montigny, Ms. Chang-Diaz, Mr. Eldridge, Ms. Jehlen and Mr. Joyce moved that the proposed new text be amended by inserting at the end thereof the following new sections:-**

**"SECTION __. Subsection (b) of section 19X of Chapter 175 of the General Laws, as added in section 127 of Chapter 139 of the acts of 2012, is hereby amended by inserting after the word 'section' the following:- and section 19Z**

**SECTION___. Chapter 175 is further amended by inserting after section 19X, the following new sections:-**

**Section 19Y. (a)(1) A majority of directors at a mutual company, as defined by section 19G, shall be independent directors.**

**(2) No director shall qualify as independent unless the board of directors affirmatively determines that the director has no direct material relationship with the mutual company and is not a partner, shareholder or other officer of an organization that has a material relationship with the company.**

**(b) (1) A mutual company, as defined by section 19G, shall have a compensation committee composed entirely of independent directors.**

**(2) The compensation committee shall have a written charter stating the committee's purpose and responsibilities, which,**

**at a minimum, shall be to have the direct responsibility to:**
**(i) review and approve the mutual company's goals and objectives relevant to the chief executive officer's compensation, evaluate the chief executive officer's performance in light of those goals and objectives and, either as a committee or together with the other independent directors, determine and approve the chief executive officer's compensation level based on this evaluation; and (ii) make recommendations to the board with respect to non-chief executive officer compensation and incentive compensation and equity based plans that are subject to board approval.**
**(c) The commissioner of insurance shall promulgate regulations utilizing industry best practices to define the term 'independent' as used in subsections (a) and (b), provided however that a director shall not be considered independent if the director: (i) is, or has been within the last 3 years, an employee of the mutual company, or an immediate family member is, or has been within the last 3 years, an executive officer, of the mutual company; (ii) has received, or has an immediate family member who has received, during any 12-month period within the last 3 years, more than $120,000 in direct compensation from the mutual company, other than director and committee fees and pension or other forms of deferred compensation for prior service, provided such compensation is not contingent in any way on continued service; (iii) is a current employee, or an immediate family member is a current executive officer, of a company that has made payments to, or received payments from, the mutual company for property or services in an amount which, in any of the last 3 fiscal years, exceeds the greater of $1,000,000 or 2 per cent of such other company's consolidated gross revenues; or (iv) is or an immediate family member is, or has been within the last 3 years, employed as an executive officer of another company for which any of the mutual company's present executive officers at the same time serves or served on that company's compensation committee.**
**The commissioner shall update such regulations as necessary.**
**Section 19Z. The commissioner of insurance shall promulgate regulations requiring that a mutual holding company, at least once every 3 years, include with a proxy, consent, authorization, solicitation or notice of the annual meeting of a mutual holding company a separate resolution subject to a non-binding vote to approve or disapprove the compensation of the named executive officers or directors."; and**
**"SECTION___. Under section 19Y of chapter 175 a majority of directors at a mutual company shall be independent directors not later than January 1, 2017.**
**SECTION____. Under section 19Y of chapter 175, a mutual company shall have a compensation committee composed entirely of independent directors not later than January 1, 2017."**
**After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at thirteen minutes before eight o'clock P.M., on motion of Mr. Montigny, as follows, to wit *(yeas 9 — nays 26)* [Yeas and Nays No. 72]:**
**YEAS.**
**Barrett, Michael J. Joyce, Brian A.**
**Chang-Diaz, Sonia Lovely, Joan B.**
**Donnelly, Kenneth J. Montigny, Mark C.**
**Eldridge, James B. Rush, Michael F. − 9.**
**Jehlen, Patricia D.**
**NAYS.**
**Brownsberger, William N. Knapik, Michael R.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**Donoghue, Eileen M. Petruccelli, Anthony**
**Downing, Benjamin B. Rodrigues, Michael J.**
**Finegold, Barry R. Rosenberg, Stanley C.**
**Flanagan, Jennifer L. Spilka, Karen E.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Keenan, John F. Timilty, James E.**
**Kennedy, Thomas P. Welch, James T. − 26.**
**ANSWERED "PRESENT".**
**Brewer, Stephen M. (present) Wolf, Daniel A. (present) − 3.**
**Ross, Richard J. (present)**

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

**Mr. DiDomenico moved that the proposed new text be amended by inserting after section 145 the following section:- "SECTION XX. Notwithstanding sections 14 and 34 of chapter 91 of the General Laws or any other general or special law to the contrary, the department of environmental protection may exempt certain structures to be constructed by Gulf Oil Limited Partnership in Chelsea Creek including, but not limited to, a bulkhead, steel sheet and pile wall from the harbor lines in the vicinity established by chapter 204 of the acts of 1849, chapter 344 of the acts of 1887 or otherwise**

**adopted as state harbor lines. The approximate location of the exemption to the harbor lines shall be as shown on a plan entitled, 'Proposed Area of Exemption From Harbor Lines In Chelsea Creek', dated April 10, 2013. A final plan showing the specific location of the exemption area shall be incorporated into the waterways license to be issued after the effective date of this section."**

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

**Messrs. Downing, Knapik and Joyce, Ms. Jehlen, Messrs. DiDomenico and Michael O. Moore and Ms. Lovely moved that the proposed new text be amended by inserting, after section 91, the following two sections:-**

**"SECTION XX. Section 34A of chapter 164 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word 'Town' in line 1 the following:- or any other public or quasi public agency or entity.**

**SECTION XX. Said section 34A, as so appearing, is hereby further amended by inserting after the word 'municipality' in lines 12, 13, 29, 31, 35, 37, 44, 48, 52, 57 both times it appears, 60, 65, and 70 the following:- or any other public or quasi public agency or entity."**

**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 38 — nays 0)* [Yeas and Nays No. 73]:**

**YEAS.**

**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**

**NAYS − 0.**

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

**Messrs. Montigny and Eldridge moved that the proposed new text be amended by inserting at the end thereof the following new sections:-**

**"SECTION__ . Section 89 of Chapter 62C, as appearing in the 2010 official edition, is hereby amended by adding the following new subsections:-**

**(c) the department of revenue, the executive office of administration and finance and the office of commonwealth accountability, performance and transparency shall, develop and publish by December 1, 2013 stated and measurable public policy objectives and desired outcomes for each tax credit program as defined in section 1 of this chapter and shall, in addition to any other analysis deemed appropriate, develop metrics for assessing the effectiveness of each such tax credit program at achieving its stated policy goals or outcomes, identify revenue foregone, beneficiaries and distribution of amounts received, and the number, nature and wages of jobs created or saved in the commonwealth, if applicable.**

**(d) The department of revenue, the executive office of administration and finance and the office of commonwealth accountability, performance and transparency shall, after developing the metrics described in subsection (c) annually conduct a review and examination of all tax credit programs as defined in section 1 of this chapter. The administering agency of each tax credit program shall fully cooperate with the executive office of administration and finance, and department of revenue and shall provide it all information requested by the department of revenue and executive office of administration and finance needed to prepare the reports called for by this subsection. After completion of such review and examination, the department of revenue and executive office of administration and finance shall issue a report to the governor, and the House and Senate's committees on way and means, revenue and post audit and oversight, on or before October 1 of each year, setting forth their findings and analysis on the effectiveness of each tax credit program at achieving its stated public policy goals and desired outcomes.**

**(e) All reports issued by the department of revenue under this section shall be a public record and shall published and made available to the public on the websites of the department of revenue and the office of commonwealth accountability, performance and transparency.**

**Section__ . Chapter 63, as appearing in the 2010 official edition, is hereby amended by inserting after section 38BB the following new section:-**

**Section 38CC (a) the department of revenue shall, develop and publish within six months of the passage of this section stated and measurable public policy objectives for the single sales factor tax formula for manufacturing corporations, defense corporations and mutual fund service corporations under Section 38 of this chapter and shall, in addition to any other analysis deemed appropriate develop metrics for assessing the effectiveness of the single sales factor tax formula at achieving its stated policy goals, identify revenue foregone, including, but not limited to, the dollar amount of revenue foregone by the adoption and utilization of the single sales factor pursuant to section 38 as compared to the apportionment method in effect for the taxable year beginning on January first, nineteen hundred and ninety five, the volume of sales by taxpayers utilizing the single sales factor, the number and type of taxpayers utilizing the single sales factor formula, and the number, nature and wages of jobs created or saved in the commonwealth as a result of the use of the single sales factor formula by taxpayers. The department shall promulgate rules and regulations implementing the provisions of this section, including but not limited to, regulations and rules requiring taxpayers utilizing the single sales factor formula to submit a report each year with its tax return for each taxable year containing information and data required by the department of revenue to comply with the provisions of this section.**
**(b) The department of revenue shall, after developing the metrics described in subsection (a), annually conduct a review and examination of the single sales tax formula under section 38 of this chapter. After completion of such review and examination, the department shall issue a report to the governor and legislature's committees on way and means, revenue and post audit and oversight setting forth their findings on the effectiveness of the single sales factor tax formula in section 38 of this chapter at achieving its stated public policy goals.**
**(c) All reports issued by the department of revenue pursuant to this section shall be public records and shall be published and made available to the public on the department's website."**
**After remarks, the amendment was *rejected*.**

**Messrs. Montigny and Eldridge moved that the proposed new text be amended by inserting at the end thereof the following new section:-**
**"SECTION__ Section 89 of Chapter 62C is hereby amended by inserting after the words 'identity' in line 9 the words 'place of business of the taxpayer and if different, the address of the headquarters or home office of the taxpayer' and inserting after subsection (b)(iii) the following new subsections:- (iv) the date of any credit or award to the taxpayer, if applicable; (iv) the specific conditions, requirements, outcomes or results required or imposed on the taxpayer by the tax credit program and the results of the taxpayer in meeting or complying with them; (v) the number, nature and wage levels of jobs created or maintained in the commonwealth as a result of each taxpayer's receipt of a credit or award under a tax credit program, if applicable; (vi) the number and nature of low income housing units created in the commonwealth as a result of each taxpayer's receipt of a credit or award a under a tax credit program , if applicable. (vii), the number of abandoned or contaminated properties redeveloped, if applicable, and inserting the following new subsection:- '(c) the reports issued pursuant to this section shall be a public record and shall be published and maintained on the websites of the administering agency, the department of revenue and the office of commonwealth accountability, performance and transparency'."**
**The amendment was *rejected*.**

**Mr. Montigny moved that the proposed new text be amended in section 112 by striking subsection (ii) and inserting in its place the following new subsection:- "(ii) transfer $15,000,000 to item 9110-1455, in section 2 to fund the cost of premiums, deductibles and co-payments for individuals that are 200 percent below the federal poverty level ".**
**The amendment was *rejected*.**

**Mr. Joyce, Ms. Clark, Ms. Lovely, Ms. Creem and Mr. Wolf moved that the proposed new text be amended by inserting after section 92 the following 21 sections:-**
**"SECTION 92A. Section 22 of chapter 211 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking out, in line 1, the figure '$151,239' and inserting in place thereof the following figure:- $166,239.**
**SECTION 92B. Said section 22 of said chapter 211 is hereby further amended by striking out the figure '$166,239', inserted by section 92A, and inserting in place thereof the following figure:- $176,239.**
**SECTION 92C. Said section 22 of said chapter 211 is hereby further amended by striking out the figure '$176,239', inserted by section 92B, and inserting in place thereof the following figure:- $181,239.**
**SECTION 92D. Said section 22 of said chapter 211 is hereby further amended by striking out, in line 2, the figure '$145,984' and inserting in place thereof the following figure:- $160,984.**
**SECTION 92E. Said section 22 of said chapter 211 is hereby further amended by striking out the figure '$160,984', inserted by section 92D, and inserting in place thereof the following figure:- $170,984.**
**SECTION 92F. Said section 22 of said chapter 211 is hereby further amended by striking out the figure '$170,984', inserted by section 92E, and inserting in place thereof the following figure:- $175,984.**
**SECTION 92G. Section 2 of chapter 211A of the General Laws, as so appearing, is hereby amended by striking out, in line 1, the figure '$140,358' and inserting in place thereof the following figure:- $155,358.**
**SECTION 92H. Said section 2 of said chapter 211A is hereby further amended by striking out the figure '$155,358', inserted by section 92G, and inserting in place thereof the following figure:- $165,358.**
**SECTION 92I. Said section 2 of said chapter 211A is hereby further amended by striking out the figure '$165,358', inserted by section 92H, and inserting in place thereof the following figure:- $170,358.**

**SECTION 92J. Said section 2 of said chapter 211A is hereby further amended by striking out, in line 2, the figure '$135,087' and inserting in place thereof the following figure:- $150,087.**
**SECTION 92K. Said section 2 of said chapter 211A is hereby further amended by striking out the figure '$150,087', inserted by section 92J, and inserting in place thereof the following figure:- $160,087.**
**SECTION 92L. Said section 2 of said chapter 211A is hereby further amended by striking out the figure '$160,087', inserted by section 92K, and inserting in place thereof the following figure:- $165,087.**
**SECTION 92M. Section 4 of chapter 211B of the General Laws is hereby amended by striking out, in line 3, as so appearing, the figure '$129,694' and inserting in place thereof the following figure:- $144,694.**
**SECTION 92N. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$144,694', inserted by section 92M, and inserting in place thereof the following figure:- $154,694.**
**SECTION 92O. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$154,694', inserted by section 92N, and inserting in place thereof the following figure:- $159,694.**
**SECTION 92P. Said section 4 of said chapter 211B is hereby further amended by striking out, in line 5, as so appearing, the figure '$135,124' and inserting in place thereof the following figure:- $150,124.**
**SECTION 92Q. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$150,124', inserted by section 92P, and inserting in place thereof the following figure:- $160,124.**
**SECTION 92R. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$160,124', inserted by section 92Q, and inserting in place thereof the following figure:- $165,124.**
**SECTION 92S. Said section 4 of said chapter 211B is hereby further amended by striking out, in line 6, as so appearing, the figure '$140,358' and inserting in place thereof the following figure:- $155,358.**
**SECTION 92T. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$155,358', inserted by section 92S, and inserting in place thereof the following figure:- $165,358.**
**SECTION 92U. Said section 4 of said chapter 211B is hereby further amended by striking out the figure '$165,358', inserted by section 92T, and inserting in place thereof the following figure:- $170,358.";**
**By inserting after section 93 the following section:-**
**"SECTION 93A. Chapter 278 of the General Laws is hereby amended by striking out section 28D½, as so appearing, and inserting in place thereof the following section:-**
**Section 28D½. The clerk, 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 per cent of, and in addition to, the salaries established and paid to them as clerk, 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 a clerical assistant in matters pertaining to the business of the appellate division. The designated clerical assistant shall receive from the commonwealth as salary an amount equal to 10 per cent of, and in addition to, the salary established and paid to the employee for the employee's current position."; and**
**By inserting after section 143 the following 3 sections:-**
**"SECTION 143A. Sections 92A, 92D, 92G, 92J, 92M, 92P and 92S shall take effect on July 1, 2014.**
**SECTION 143B. Sections 92B, 92E, 92H, 92K, 92N, 92Q and 92T shall take effect on January 1, 2015.**
**SECTION 143C. Sections 92C, 92F, 92I, 92L, 92O, 92R and 92U shall take effect on July 1, 2015."**
**After remarks, the amendment was adopted.**
**Ms. Clark, Ms. Creem, Ms. Jehlen, Ms. Chang-Diaz and Mr. Brownsberger moved that the proposed new text be amended in section 2, in item 0321-2100, by striking out the figure "$981,810" and inserting in place thereof the following figure:- "1,129,584".**
**After remarks, the amendment was adopted.**
**Messrs. Tarr, Knapik, Ross and Hedlund moved that the proposed new text be amended by inserting after section _ the following section:-**
**"SECTION _. Section 53 of chapter 7 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended, in line 17, by striking the figure '$500,000', and inserting in place thereof the following figure:- '$2,000,000'."**
**Pending the question on adoption of the amendment Mr. Knapik moved that the pending amendment (Tarr et al) be amended by adding at the end thereof the following new section to be inserted after section _:-**
**"SECTION _. The secretary of administration and finance, in consultation with the secretary of housing and economic development, shall conduct a study and issue a report on the scope and magnitude of the adverse impacts resulting from sections 52-55 of chapter 7, including but not limited to, impediments to economic growth, forgone opportunities for savings and innovation, employment growth and state revenue growth. The secretary shall research peer states, hold 1 or more public hearings and consult with representatives of private contractors and organized labor in conducting said analysis. The report, together with any legislative recommendations to further increase the threshold limit in section 53 of chapter 7 or otherwise limit barriers to private sector agreements reached at a cost savings to the state, shall be filed electronically with the clerks of the senate and house of representatives not later than October 15, 2013."**
**After remarks, the further amendment (Knapik) 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 three minutes past nine o'clock P.M., on motion of Mr. Tarr, as follows, to wit *(yeas 8 — nays 30)* [Yeas and Nays No. 74]:**

**YEAS.**
**Barrett, Michael J. Joyce, Brian A.**
**Brownsberger, William N. Knapik, Michael R.**
**Donoghue, Eileen M. Ross, Richard J.**
**Hedlund, Robert L. Tarr, Bruce E. − 8.**
**NAYS.**
**Brewer, Stephen M. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**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. Rush, Michael F.**
**Flanagan, Jennifer L. Spilka, Karen E.**
**Jehlen, Patricia D. Timilty, James E.**
**Keenan, John F. Welch, James T.**
**Kennedy, Thomas P. Wolf, Daniel A. − 30.**

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

**Messrs. Tarr and Knapik moved that the proposed new text be amended by inserting after section _ the following 2 sections:-**
**"SECTION _. Clause (4) of section 54 of said chapter 7 of the General Laws, as so appearing, is hereby amended by striking the first sentence in its entirety and inserting in place thereof the following:-**
**(4) The agency shall prepare a comprehensive written estimate of the costs of regular agency employees' providing the subject services based upon the most updated and accurate information available.**
**SECTION _. Section 55 of said chapter 7 of the General Laws, as so appearing, is hereby amended by striking, in line 2, the word 'thirty' and inserting in place thereof the following figure '15'; and further by striking the last sentence of subsection (a) of section 55 of said chapter 7."**
**The amendment was *rejected*.**

**Messrs. Tarr and Montigny moved that the proposed new text be amended in section 2, in item 2330-0100, by inserting at the end thereof the following:- "provided further, that no less than $200,000 shall be expended for the development and implementation of a cod species identification sequencing study to be conducted by the Gloucester Marine Genome Initiative through one or more Massachusetts non-profit organizations; and provided further, that the Gloucester Marine Genome Initiative shall report on the status of the project to the house and senate committees on ways and means on or before June 30, 2014"; and in said section 2, in item 2300-0100, by inserting at the end thereof the following:- "; provided, that not less than $150,000 shall be expended for grants to fishing ports to develop recovery and revitalization plans in response to federal groundfish regulations that took effect on May 1, 2013; provided further, that the division shall issue requests for proposals from affected ports not later than 60 days following the passage of this act and shall award such grants in a timely fashion; provided further, that all affected ports may submit individual plans or multiple ports may submit a regional plan; provided further, that all plans so developed shall be submitted to the director of the division, the secretary of the executive office of energy and environmental affairs, the secretary of the executive office of housing and economic development, and the clerks of the house of representatives and the senate not later than 180 days following the passage of this act".**
**The amendment was adopted.**
**Mr. Joyce moved that the proposed new text be amended in section 2, in item 2810-0100, by striking out the figures "$400,000" and inserting in place thereof the following figures:- "$750,000"; and by striking out the figures "$41,044,957" and inserting in place thereof the figures:- "$41,394,957".**
**The amendment was adopted.**
**Ms. O'Connor Ives and Mr. Tarr moved that the proposed new text be amended in section 2, on item 2810-0100, by inserting after the word "pools" the following: "provided further that not less than $300,000 shall be expended for sand harvesting or the purchase of sand to re-nourish Salisbury State Reservation;".**
**After remarks, the amendment was *rejected*.**

**Messrs. Montigny and Tarr moved that the proposed new text be amended in section 2, in item 2330-0100, by inserting after the words "shellfish classification program" the following words:- "provided further, that no less than $350,000 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 groundfish, including cod and yellowtail in the region managed by the New England Fishery Management Council".**
**The amendment was adopted.**
**Messrs. Petruccelli and DiDomenico, Ms. Jehlen and Mr. Brownsberger moved that the proposed new text be amended by inserting, after section 145, the following new section:-**
**"SECTION XX. Section 14 of chapter 91 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the word 'lands' in line 26, the following:- An ethanol storage or blending facility that stores or blends or is intended to store or blend more than an average of 5,000 gallons of ethanol per day and is located within one mile of a Census block that has a population density of greater than 4,000 people per square mile shall not be granted a license under this chapter. For the purposes of this section, ethanol shall be defined as any mixture composed of not less than 30% ethanol."**
**The amendment was adopted.**
**Messrs. Ross, Tarr, Hedlund and Knapik and Ms. Lovely moved that the proposed new text be amended in section 2, in item 2810-2041, by inserting after the words "expenditures made" the following words:- "; provided further, that the department shall devise a plan to provide free or reduced admission to facilities under its control to veterans utilizing funds from this account; and provided further, that prior to implementing such plan, the department shall report to the house and senate committees on ways and means on the plan including, but not limited to, any cost implications of such a plan. The plan shall be submitted no later than June 30, 2014".**
**After remarks, the amendment was adopted.**
**Mr. Joyce moved that the proposed new text be amended by inserting after section 84 the following section:-**
**"SECTION 84A. Subsection (a) of section 5 of chapter 131A of the General Laws, as so appearing, is hereby amended by striking out clauses (v) and (vi) and inserting in place thereof the following 3 clauses:-**
**(v) the potential economic effects of the proposed project on the person and the community;**
**(vi) a statement from the conservation commission of a city or town that hosts any part of the significant habitat evaluating the effects of the proposed alteration on that habitat including, but not limited to, the effects of construction, chemicals, snow treatment and removal, increased traffic and recreation; and**
**(vii) any additional information the director may require."**
**The amendment was adopted.**
**Mr. DiDomenico 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 the development of a facility for the enjoyment of the public in Sacramone Park in the city of Everett"; and by striking out the figure "$41,044,957" and inserting in place thereof the following figure:- "$41,094,957".**
**The amendment was adopted.**
**Messrs. Tarr and Finegold moved that the proposed new text be amended by inserting, after section __, the following new sections:-**
**"SECTION__. Section 4 of chapter 157B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by inserting after the definition of 'by-laws' the following definition:-**
**'Community of interest', a cooperative corporation or corporation organized as a cooperative under the general laws for the purpose of providing or furnishing residential housing for a communal purpose; provided however, that a statement of communal purpose, in sufficient detail so that a reasonable person may understand such purpose, shall be included in the original articles of organization of such corporation or added to the articles of such corporation as set forth in subsection (g) of section 10 by amendment approved by 60 per cent of the stockholders.**
**SECTION__. Section 10 of said chapter 157B, as so appearing, is hereby amended by striking out subsection (g) and inserting in place thereof the following subsection:-**
**(g) standards for eligibility to become a stockholder, provided that such standards reasonably relate to: (1) the capacity to satisfy the stockholder's financial and maintenance obligations with respect to the property; (2) the creation of the housing cooperative as a community of interest, provided however, that a detailed statement of the communal purpose and eligibility standards of the community of interest shall be contained within the articles of organization of the corporation; and/or (3) standards as a provider of affordable housing. Such standards for eligibility shall not be discriminatory under law. Denial of a party seeking to become a stockholder shall be in writing, and denial shall include the grounds for denial and specify which eligibility standards the stockholder applicant failed to meet. This act shall govern cooperative housing arrangements formed under this chapter or otherwise.**
**SECTION__. Within 90 days of the effective date of this act, the state secretary shall send written notice to each corporation organized under chapters 156D or 157B of the requirement for it to file, as applicable, articles of organization that contain the information required in paragraph (2) of subsection (g) of section 10 of chapter 157B of the General Laws."**
**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 the following:- "provided further, that funds shall be expended for the purpose of technical assistance by Homes for Families".**
**The amendment was adopted.**

**Messrs. Donnelly and Wolf, Ms. Lovely, Mr. Rosenberg and Ms. Clark moved that the proposed new text be amended in section 2, in item 7004-9316, by inserting after the word " services;", in line 10, the following words:- "provided further, that, effective July 1, 2013, 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 said providers shall be available to receive and act on such referrals until at least 5 o'clock each day Monday through Friday, 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, 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 inserting after the figure "$4,000," in both places that it appears, the following word:- "not".**

**The amendment was adopted.**

**Mr. Welch moved that the proposed new text be amended in section 2, in item 7003-1206, by inserting at the end thereof the following:- "; provided that no less than $75,000 shall be expended for the Massachusetts Latino Chamber of Commerce;" and in said item 7003-1206 by striking out the figure "$600,000" and inserting in place thereof the following figure:- "$675,000".**

**The amendment was adopted.**

**Mr. Montigny 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 the Zeiterion Performing Arts Center in New Bedford"; and by striking the figure "$5,924,728" and inserting in place thereof the following:- "$6,124,728".**

**The amendment was adopted.**

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

**"SECTION _ . There shall be a tourism formula commission to examine the distribution of funds in the Massachusetts Tourism Fund. The commission shall review and evaluate the current funding formula and determine if any revisions are necessary for achieving a fair and equitable funding formula that will ensure funding is cost-effective and that funds are distributed in the most cost-effective manner to the office of travel and tourism, the Massachusetts Convention Center Authority, the tourist promotion agencies listed under section fourteen of chapter twenty-three A of the General Laws, the Cultural Facilities Fund and the Massachusetts international trade office.**

**The commission shall file a report with the clerks of the senate and house of representatives, the senate and house committees on ways and means, and the joint committee on tourism, arts and cultural development not later than May 1, 2014. The commission shall hold 1 or more public hearings before issuing said report.**

**The commission shall consist of the following members or their designee: 3 members of the senate, 1 of whom shall be the senate chair of the joint committee on tourism, arts and cultural development, who shall serve as co-chair of the commission, and one of whom shall be appointed by the minority leader; 3 members of the house of representatives, 1 of whom shall be the house chair of the joint committee on tourism, arts and cultural development, whom shall serve as co-chair of the commission, and 1 of whom shall be appointed by the minority leader; and 3 persons to be appointed by the governor. The commission shall convene not later than 60 days after the effective date of this act."**

**The amendment was adopted.**

**Messrs. Eldridge and Brownsberger, Ms. Clark and Messrs. Joyce and McGee 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:- "$4,125,000".**

**The amendment was adopted.**

**Messrs. Brownsberger and Joyce moved that the proposed new text be amended in section 2, in item 7027-0019, by striking out the figure "$2,870,000" and inserting in place thereof the following figure:- "3,370,000".**

**The amendment was adopted.**

**Mr. Ross moved that the proposed new text be amended by adding 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 the department of elementary and secondary education shall issue a report on the department's efforts and plans to reduce the use of paper and increase electronic dissemination and storage of data and documents. The report shall include, but not be limited to, an analysis of the information technology, including alternative information technologies, presently utilized by the department; the electronic methods utilized by the department for maintenance, submission, or disclosure of information to improve data quality, agency efficiency, and responsiveness to the public; the extent to which duplicative permitting and paperwork requirements have been eliminated through the implementation of inter-agency file sharing technologies; and any legal or technological impediments toward further reliance on electronic information sharing and paperwork reduction. Said report, and any legislative recommendations, shall be filed with the clerks of the senate and house of representatives and with the joint committee on education no later than September 30, 2013."**

**The amendment was adopted.**
**Messrs. Kennedy, Timilty and Rush, Ms. Jehlen, Mr. Michael O. Moore, Ms. Candaras and Messrs. Knapik and Eldridge moved that the proposed new text be amended in section 2, in item 7066-0009, by striking out the figure "$184,500" and inserting in place thereof the following figure:- "$367,500".**
**The amendment was adopted.**
**Ms. Candaras moved that the proposed new text be amended in section 2 by inserting after item 7514-0100 the following item:**
**"7514-0102 For the Massachusetts Center for Telecommunications and Information Technology through the Springfield Technical Community College Assistance Corporation, as established by section 125 of chapter 273 of the acts of 1994; provided, that the amount appropriated in this item shall include, but not be limited to, operating and maintaining cable television programming, distance learning curricula, telecommunications-intensive company facilities, and a small business incubator.....$60,000".**
**The amendment was adopted.**
**Messrs. McGee and Kennedy, Ms. Lovely, Mr. Joyce, Ms. Chang-Diaz, Ms. Clark and Messrs. Michael O. Moore and Knapik 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:- "$1,610,000".**
**The amendment was adopted.**
**Mr. McGee moved that the proposed new text be amended in section 2, in item 7002-0020, by adding the following words:- "; and provided further, that not less than $90,000 shall be provided to a related pilot program in Lynn"; and by striking out the figure "$2,000,000" and inserting in place thereof the following figure:- "$2,090,000".**
**The amendment was adopted.**
**Ms. Creem, Ms. Candaras, Messrs. Michael O. Moore, Knapik, DiDomenico, Barrett, Brownsberger, Rush, Joyce, Pacheco and McGee and Ms. Spilka moved that the proposed new text be amended in section 2, in item 7009-9600, by inserting after the words "opportunity for their children to participate in the inclusive concurrent enrollment initiative" the following words:- "provided further that the executive office of education, in consultation with the department of elementary and secondary education and the department of higher education shall encourage planning and development of a pilot program to include students in the residence life of the state public institutions of higher education to enable inclusive dormitory living;"; and in said item by striking out the figures "$400,000" and inserting in place thereof the following figures: - "$960,000".**
**The amendment was *rejected*.**

**Ms. Donoghue, Mr. Joyce and Ms. Lovely moved that the proposed new text be amended in section 2, in item 8100-0111, by striking out the figure "$6,250,000" and inserting in place thereof the following figure:- "7,000,000".**
**After remarks, the amendment was adopted.**
**Mr. Kennedy moved that the proposed new text be amended in section 2, in item 8910-8700, by inserting after the word "office" the following words:- "; provided, that not less than $2,100,000 shall be expended for mitigation under a memorandum of understanding between the Plymouth county correctional facility and the host community of the facility"; and in said section 2, in said item 8910-8700, by striking out the figure "$33,721,305" and inserting in place thereof the following figure:- "$36,121,305".**
**The President in the Chair, the amendment was adopted.**
**Mr. Rosenberg moved that the proposed new text be amended in section 2, by inserting, after item 7061-9810, the following item:-**
**"XXXX-XXXX For the implementation of the recommendations of the creative and innovative education commission established in chapter 240 of the acts of 2010, and for the planning and design of a creative and innovative education index to measure how well schools develop and sustain student creativity; provided, that funds shall be expended to provide management oversight for the implementation of the recommendations of the report of the creative and innovative education commission and for establishing on-line forums for commentary, discussion and review of the plan and design of the index by interested parties including teachers, high-tech business leaders, education leaders, creativity experts and the public …… $200,000".**
**The amendment was adopted.**
**Messrs. Rosenberg and Michael O. Moore and Ms. Spilka moved that the proposed new text be amended in section 2, by inserting after item 8315-1022 the following new item:-**
**"xxxx-xxxx For the department of public safety, which may expend an amount not to exceed $600,000 of revenues collected from fees for licensure of pipefitters; provided, that funds shall be expended to become compliant with the provisions of sections 52, 53 and 84 of chapter 146 of the General Laws……$600,000".**
**The amendment was adopted.**
**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new section:-**
**"SECTION ___. Section 16 of chapter 270 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding at the end thereof the following new paragraph:**
**A person while operating or as a passenger of a motor vehicle shall not deposit or cause to be deposited garbage, paper, refuse, bottles, cans, rubbish or trash of any kind or nature on any public or private property without permission of the**

**owner, tenant or lessee of such property.**
**Any operator or passenger of a motor vehicle found in violation by a law enforcement official shall be subject to a citation without criminal complaint and fine of not less than one hundred dollars for their first offense.**
**Any operator or passenger of a motor vehicle found in violation by a law enforcement official shall be subject to a citation without criminal complaint and fine of not less than five hundred dollars for their second offense.**
**Any operator or passenger of a motor vehicle found in violation by a law enforcement official shall be subject to a citation with criminal complaint and fine of not less than one thousand dollars for their third offense."**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-eight minutes past nine o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 15 — nays 23)* [Yeas and Nays No. 75]:**
**YEAS.**
**Barrett, Michael J. Lovely, Joan B.**
**Candaras, Gale D. Rodrigues, Michael J.**
**Donoghue, Eileen M. Ross, Richard J.**
**Eldridge, James B. Rush, Michael F.**
**Finegold, Barry R. Tarr, Bruce E.**
**Hedlund, Robert L. Timilty, James E.**
**Joyce, Brian A. Wolf, Daniel A. − 15.**
**Knapik, Michael R.**
**NAYS.**
**Brewer, Stephen M. Kennedy, Thomas P.**
**Brownsberger, William N. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**Donnelly, Kenneth J. Petruccelli, Anthony**
**Downing, Benjamin B. Rosenberg, Stanley C.**
**Flanagan, Jennifer L. Spilka, Karen E.**
**Jehlen, Patricia D. Welch, James T. − 23.**
**Keenan, John F.**

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

**Messrs. Timilty, Rush and Knapik and Ms. Candaras moved that the proposed new text be amended in section 2, in item 8800-0001, by adding at the end thereof the following:- "provided, that not less than $200,000 shall be expended for the American Red Cross in Massachusetts"; and in said item, by striking the figure "$1,639,908" and inserting in place thereof the following figure:- "$1,839,908".**
**The amendment was adopted.**
**Mr. Rodrigues moved that the proposed new text be amended by inserting, after section__, the following new section:**
**"SECTION__: Chapter 3 of the Acts of 2013 is hereby amended, in line item 8910-8318, by inserting after the words "national correctional employees union" the following:**
**; provided that this line item shall be used to fund, but not be limited to, the following positions:**
**1.) Director of Property**
**2.) Transportation Coordinator**
**3.) Coordinator of Intake Services**
**4.) Director of Facilities**
**5.) Director of Classification."**
**The amendment was adopted.**
**Ms. Spilka, Messrs. McGee and Donnelly, Ms. Chandler, Ms. Chang-Diaz, Messrs. Michael O. Moore, Petruccelli and Rodrigues, Ms. Jehlen, Messrs. Knapik and Rush, Ms. Clark, Messrs. Joyce and Timilty, Ms. Lovely, Messrs. Brownsberger, Kennedy and Welch, Ms. Creem, Ms. Candaras and Messrs. DiDomenico, Wolf and Finegold moved that the proposed new text be amended by inserting, after section __, the following new section:-**
**"SECTION __. The paratransit fares of the Massachusetts Bay Transportation Authority and the Regional Transit Authorities shall not exceed:**
**(a) The regular adult single ride local bus cash fare for persons who reside in the commonwealth and whose income does not exceed 200 per cent of the Federal Poverty Guidelines as published and updated by the United States Department of Health and Human Services;**
**(b) One and one-half times the regular adult single ride local bus cash fare for persons who reside in the commonwealth and whose income is above 200 per cent and does not exceed 300 per cent of the Federal Poverty Guidelines as published and updated by the United States Department of Health and Human Services; and**
**(c) Twice the regular adult single ride local bus cash fare for persons who reside in the commonwealth and whose income**

**exceeds 300 per cent of the Federal Poverty Guidelines as published and updated by the United States Department of Health and Human Services."**

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

**Ms. Jehlen, Ms. Creem and Messrs. Downing, Keenan and McGee moved that the proposed new text be amended in section 2, in item 2810-0100, by inserting after the words "bureau of forestry development" the following:- "and (iv) for aquatic invasive species control;".**

**The amendment was adopted.**

**Mr. Kennedy moved that the proposed new text be amended by inserting after section 139 the following section:-**

**"SECTION 139A. (a) The Massachusetts Department of Transportation shall develop a plan for a pilot program to evaluate a mileage-based user fee or road usage charge, which is based upon or derived from the number of miles traveled by a motor vehicle. The planned pilot program shall include up to 1,000 persons to test 1 or more of the proposed methods for determining a mileage-based user fee or road usage charge.**

**(b) A program shall: (1) test the reliability, ease of use, cost and public acceptance of new technologies; (2) test methods for determining or estimating the number of miles traveled; (3) establish a mileage-based user fee or road usage charge; (4) recommend protections for the data collected and reported under the pilot program; (5) recommend appropriate and effective protections to ensure drivers' privacy; (6) run for at least 12 months; and (7) include a plan for variable pricing based upon the environmental impact of a vehicle as deemed appropriate by the Massachusetts Department of Transportation.**

**(c) The Massachusetts Department of Transportation shall file the plan, which shall include, but not be limited to: the feasibility of permanently assessing a vehicle mileage-based user fee or road usage charge as an alternative to the gas tax; an evaluation of the impacts of such a fee on the economy; an evaluation of the impact on the environment and traffic congestion; a comparison to other alternatives or supplements to the gas tax, by filing the same with the clerks of the senate and house of representatives, not later than 30 months from the effective date of this act."**

**The amendment was *rejected*.**

**Mr. Michael O. Moore moved that the proposed new text be amended by inserting, after section ___, the following new section:-**

**"SECTION ____. Subsection (c) of section 24A of chapter 94C of the General Laws, as amended by chapter 244 of the acts of 2012, is hereby amended by striking the words: 'The department, in consultation with all relevant licensing authorities, shall promulgate regulations that require participants to utilize the prescription monitoring program prior to seeing a new patient, including circumstances where participants would not be required to utilize the prescription monitoring program prior to seeing a new patient; a requirement that pharmacists be trained in the use of the prescription monitoring program as part of the continuing education requirements mandated for licensure by the board of registration in pharmacy, under section 24A of chapter 112 and a requirement that allows authorized support staff to use the prescription monitoring program on behalf of a registered participant.' and inserting in place thereof the following:-**

**The department shall promulgate rules and regulations relative to the use of the prescription monitoring program by registered participants that shall include requiring participants to utilize the prescription monitoring program prior to the issuance of a prescription for a narcotic drug contained in Schedule II or III to a patient for the first time. The department may require participants to utilize the prescription monitoring program prior to the issuance to a patient for the first time of benzodiazepines or any other schedule IV or V commonly abused prescription drug that may lead to physical or psychological dependence or that patients with a history of substance dependence have been shown to experience significant addictive symptoms. The regulations shall specify the circumstances under which such narcotics may be prescribed without first utilizing the prescription monitoring program. The regulations may also specify the circumstances under which support staff may use the prescription monitoring program on behalf of a registered participant. When promulgating the rules and regulations, the department shall also require that pharmacists be trained in the use of the prescription monitoring program as part of the continuing education requirements mandated for licensure by the board of registration in pharmacy, pursuant to section 24A of chapter 112 of the General Laws. The department shall also study the feasibility and value of expanding the prescription monitoring program to include Schedule VI prescription drugs."**

**The amendment was adopted.**

**Mr. Finegold and Ms. Flanagan moved that the proposed new text be amended by inserting, after section 71, the following new section:-**

**"SECTION XX. Section 18 of chapter 94C of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph, as amended by section 4 of chapter 244 of the Acts of 2012, the following paragraph:-**

**Nothing in this subsection shall be interpreted to prohibit a retail pharmacy operating within the commonwealth from filling prescriptions for a narcotic substance contained in Schedule II of section 3 to residents of states other than Maine and the states contiguous with the commonwealth, provided, however, that:**

**(1) the pharmacy is licensed for retail by the commonwealth, and, if applicable, registered with the appropriate regulatory authorities in the state from which the prescription is received, and the United States Drug Enforcement Administration as applicable, for the dispensing of controlled substances;**

**(2) the prescription is filled by a pharmacist licensed and registered in the state from which the prescription originates, if**

**the state of the prescription's origin requires such registration and licensing, and was written by a physician licensed to practice medicine and registered in the same state or a contiguous state to where the prescription is to be delivered, and registered under federal law to write prescriptions;**
**(3) the prescription is received by the retail pharmacy via mail or commercial carrier, or through an equivalent electronic means as may be permitted by federal law;**
**(4) a registered pharmacist filling a prescription under this subsection shall determine, in accordance with professional standards and personal judgment, that such prescription is authentic and valid, legitimate and legal in the state from which it is received, and shall verify the prescription by telephonic or other means. A pharmacist shall not fill a prescription for which verification cannot be obtained; any delivery of controlled substances to residents of another state is in full compliance with all laws and regulations of that state as pertaining to the issuance and filling of prescriptions;**
**(5) the pharmacy shall comply with all reporting requirements of the state to which the prescription is delivered, including but not limited to, enrollment in and adherence to the rules, regulations and requirements of the state's prescription monitoring program, or any program equivalent thereto, where applicable; and**
**(6) any substances delivered pursuant to this subsection are delivered via mail or by a commercial carrier to a verified address in the state of residence of the person for whom the prescription was written, and may not within the territory of the Commonwealth enter into the hands of any person not directly associated by employment or subcontract with the United States Postal Service or commercial carrier selected for this purpose."**
**The amendment was adopted.**
**Messrs. Montigny and Brownsberger moved that the proposed new text be amended by inserting at the end thereof the following new section:-**
**"SECTION ___. Chapter 111 of the General laws, as appearing in the 2010 official addition is hereby amending by inserting after Section 51H the following 2 sections**
**Section 51I. Definitions for Section 51J**
**Consensus measures. Standardized stroke metrics that including, but not limited to:**
**(a) Deep Vein Thrombosis (DVT) Prophylaxis**
**(b) Discharged on Antithrombotic Therapy**
**(c) Patients with Atrial Fibrillation Receiving Anticoagulation Therapy**
**(d) Thrombolytic Therapy Administered**
**(e) Antithrombotic Therapy By End of Hospital Day Two**
**(f) Discharged on Statin Medication**
**(g) Dysphagia Screening**
**(h) Stroke Education**
**(i) Smoking Cessation / Advice / Counseling**
**(j) Assessed for Rehabilitation**
**Primary Stroke Service. Emergency diagnostic and therapeutic services provided by a multidisciplinary team and available 24 hours per day, seven days per week to patients presenting with symptoms of acute stroke and have the ability to assess acute stroke patients and treat with IV-tPA in the 0-3 hour period and may sites could also treat up to 4.5 hours with IV tPA.**
**Primary Stroke Service Plus (PSS+): In addition to service required in the definition of Primary stroke services, emergency diagnostic and therapeutic services that include**
**1) Participation in a national stroke QI program to be chosen by the department;**
**2) Mandatory data reporting to the department on an agreed upon expanded set of measures of stroke care quality, and annual evidence of compliance to standards;**
**3) Ongoing professional education requirements similar to Joint Commission-Primary Stroke Center requirements**
**4) Protocols for administering IV-tPA in the expanded time window (3 - 4.5 hours). Patients with stroke symptom onset between 2.5 - 4 hours would be considered for direct triage/transport to these PSS+ sites when appropriate.**
**Comprehensive Stroke Center: Facilities designated for patients with onset times of consensus measures greater than 4 hours**
**Undesignated Sites: Hospitals that do not seek or sustain a primary stroke service or higher designation that have pre-approved transfer agreements for walk-in or inpatient strokes**
**Section 5J. Application to Provide Primary Stroke Service; Written Protocols**
**(1) Each hospital seeking designation as a provider of a Primary Stroke Service shall submit an application to the Department, on forms prescribed by the Department, documenting how the hospital will meet the standards in 105 CMR 130.1400 through 130.1413.**
**(2) The department shall base the certification Primary Stroke Centers based on Joint Commission/ASA standards or similar standards.**
**(3) The department shall include modifications to the hospital stroke designation and emergency medical service point of entry criteria to ensure sustainability of the program.**
**(4) The department shall create a sustainable three tiered system for hospital stroke designation that reflects the current tiered nature of care that shall include:**
**a) Primary Stroke Service;**
**b) Primary Stroke Service Plus;**

**c) Comprehensive Stroke Centers**
**(5) The department shall require undesignated hospitals to affiliate with a primary stroke services, primary stroke service plus or comprehensive stroke center.**
**(4) The department shall establish a registry of infrastructure and mandatory participation by Primary Stroke Service Plus Hospital as defined by Hospital Licensure Regulations (105 CMR 130.000) 105 CMR 130.1400 Primary Stroke Service Licensure that shall include but not be limited to reporting and collection of data on consensus measures."**
**The amendment was adopted.**
**Messrs. Welch, Finegold, Michael O. Moore, Wolf and Downing, Ms. Candaras, Ms. Chang-Diaz, Mr. Rush, Ms. O'Connor Ives, Messrs. Rodrigues, Pacheco, McGee, Brownsberger, Eldridge, Keenan and Knapik and Ms. Clark moved that the proposed new text be amended by inserting after section 139 the following section:-**
**"SECTION 139A. (a) Notwithstanding any general or special law to the contrary, the health policy commission shall enter into an interagency agreement with the executive office of health and human services to provide up to $39,978,000 in available funding from the Distressed Hospital Trust Fund established in section 2GGGG of chapter 29 of the General Laws during fiscal year 2014, for payments to acute care hospitals that have greater than 63 per cent of their gross patient service revenue from governmental payers and free care as described in subsection (b). Additional payments under this section shall be paid directly to each such qualifying acute care hospital. The comptroller shall deposit in the fund all federal reimbursements paid to the commonwealth as a result of these payments.**
**(b) Notwithstanding any general or special law to the contrary, the office of Medicaid shall expend from any funds received pursuant to an interagency agreement under this section, subject to all required federal approvals and the availability of federal financial participation, to provide:**
**(i) an additional 5 per cent of its standard payment amount per discharge, or SPAD, or of reimbursement provided under any subsequent inpatient 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;**
**(ii) an additional 5 per cent of its outpatient payment amount per episode or PAPE, 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; and**
**(iii) an additional amount, totaling the remainder of any sum transferred pursuant to subsection (a), to be used as an additional percentage of SPAD and outpatient PAPE rates, for inpatient discharges for behavioral and mental health services and outpatient episodes for behavioral and mental health services provided by any acute care hospital that 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, however, that subject to all required federal approvals and the availability of federal financial participation, such add on amounts shall be prioritized for services provided to children and adolescents.**
**(c) Any acute hospital receiving enhanced rates under this section shall report to the health policy commission not later than June 30, 2014 describing how enhanced rates to that hospital supports the commonwealth's efforts to meet the health care cost growth benchmark established in section 9 of chapter 6D of the General Laws and whether such enhanced rates: (1) improve and enhance the ability of the hospital to serve populations efficiently and effectively; (2) advance the adoption of health information technology, including interoperable electronic health records systems; (3) accelerate the ability to electronically exchange information with other providers in the community to ensure continuity of care; (4) support infrastructure investments necessary for the transition to alternative payment methodologies, including technology investments; (5) aid in the development of care practices and other operational standards necessary for certification as an ACO under section 15 of said chapter 6D; or (6) improve the affordability and quality of care.**
**(d) The interagency agreement under subsection (a) shall be effective upon deposit of sufficient funds into the Distressed Hospital Trust Fund under section 241 of chapter 224 of the acts of 2012."**
**The amendment was adopted.**
**Messrs. Welch, Knapik and Michael O. Moore, Ms. Lovely, Ms. Candaras, Mr. DiDomenico, Ms. Clark, Ms. Chandler and Messrs. Petruccelli, Downing, Donnelly and Tarr moved that the proposed new text be amended in section 2, in item 4000-0500, by adding the following words:- "; provided further, that the office of Medicaid shall work with the managed care organizations that are under contract with the commonwealth to deliver managed care services to MassHealth enrollees and other relevant stakeholders to develop changes to Medicaid payment policies, quality improvement programs and any other programmatic changes that promote provider efficiencies; provided further, that the office of Medicaid shall work with its actuary to ensure that the development of capitation rates for contracting managed care organizations appropriately account for changes in MassHealth provider rates, that take effect during state fiscal year 2014; provided further, that MassHealth shall report to the house and senate committees on ways and means not later than October 1, 2013 on proposed provider efficiencies and the methodology used to develop actuarially sound capitation rates for managed care organizations, which account for changes to provider rates and develop actuarially sound rates; and provided further, that if MassHealth fails to produce the report and develop actuarially sound capitation rates that account for changes in provider rates that take effect during state fiscal year 2014, then, to the extent permissible under federal law and regulations and subject to the availability of federal financial participation, MassHealth shall adjust each Medicaid managed care organization's base capitation rate to reflect increases in hospital payments paid by Medicaid**

**managed care organizations to their network acute hospitals as a result of state fiscal year 2014 base hospital rate increases".**
**After remarks, the amendment was adopted.**
**Ms. Spilka, Mr. Rodrigues, Ms. Lovely, Ms. Clark, Mr. Knapik, Ms. Jehlen, Messrs. Rosenberg, Michael O. Moore and Rush, Ms. Creem, Messrs. Downing, Montigny, Eldridge, Welch, Barrett, Keenan and McGee and Ms. Chang-Diaz moved that the proposed new text be amended in section 112 by inserting, in line 1540, after the words "section 3", inserted by amendment 49, the following words:- "(iv) $11,500,000 to private human and social services providers for a one-time rate reserve payment; provided that the provisions of item 1599-6901 under chapter 139 of the acts of 2012 shall remain in effect in fiscal year 2014".**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes before ten o'clock P.M., on motion of Ms. Spilka, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 76]:**
**YEAS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. Moore, Richard T.**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. Tarr, Bruce E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 38.**
**NAYS − 0.**

**The yeas and nays having been completed at ten o'clock P.M., the amendment was adopted.**
**Ms. Creem, Mr. Rush, Ms. Spilka, Ms. Jehlen and Ms. Lovely moved that the proposed new text be amended in section 2, in item 9110-1660, by striking out the figures "$1,872,626" and inserting in place thereof the figures "2,086,626"; and in said item by inserting after the word "elderly" the following: "provided, that not less than $428,000 shall be expended from this item for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements with in fiscal year 2013 at proportions of total available funding equal to those provided in fiscal year 2013 and further;".**
**After remarks, the amendment was adopted.**
**Ms. Candaras and Ms. Lovely moved that the proposed new text be amended in section 2E, in item 1595-1068, by striking the figure "$308,050,000" and inserting in place thereof the figure "312,050,000"; by striking the figure "$154,025,000" and inserting in place thereof the figure "$156,025,000"; and by striking the figure "$392,000,000" and inserting in place thereof the figure "$394,000,000".**
**The amendment was adopted.**
**Messrs. Pacheco and Keenan, Ms. Spilka, Ms. Jehlen, Messrs. Montigny and Wolf, Ms. Creem, Messrs. Kennedy, Timilty and Donnelly, Ms. Lovely, Messrs. Brownsberger, Joyce and Rodrigues, Ms. Chandler, Messrs. Michael O. Moore and Ross and Ms. O'Connor Ives moved that the proposed new text be amended in section 2, in item 5095-0015, by inserting after the words "state hospital;" the following words:- "; provided further, that $100,000 shall be allocated for the consultant hired by the advisory committee established in section 186 of chapter 139 of the acts of 2012; provided further, that the consultant shall submit a report to the house and senate committees on ways and means and the joint committee on mental health and substance abuse not later than March 1, 2014 providing recommendations on the potential future use of the Cain building at Taunton state hospital or elsewhere in the southeast area for purposes which shall include, but shall not be limited to: (i) the development of state-operated pilot crisis stabilization units which would be fully operational 24 hours a day, 7 days a week and would 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; (ii) the development of a pilot program for non-violent offenders with mental health diagnoses currently serving their sentences in state or county correctional facilities; (iii) the development of a pilot program for females committed under section 7 of chapter 111B of the General Laws or section 35 of chapter 123 of the General Laws who are evaluated as having co-occurring mental health and substance abuse disorders; (iv) the development of inter-agency coordination between any and all state agencies, authorities, departments or programs currently providing**

**services or benefits to individuals who would be deemed eligible for any of the above pilot programs, with particular attention to the coordination of services between the department of mental health, the department of public health, the department of correction, county correctional facilities and the trial court; (v) the availability of existing resources, including the Cain building at Taunton state hospital or elsewhere in the southeast area to address gaps in behavioral or mental health services for southeast area residents as well as inmates or individuals receiving court-ordered treatment; and (vi) the projected costs and benefits of each of the above pilot programs; and provided further, that Taunton state hospital shall in no case become a department of corrections facility";**
**By striking the following: "and provided further, that the department shall maintain and operate these beds until the commission established in section 186 of chapter 139 of the acts of 2012 submits its report to the General Court" and inserting in place thereof:- "and provided further, that the department shall maintain and operate these beds until June 30, 2014";**
**In said section 2, in said item 5095-0015, by striking out the figure "$173,395,002" and inserting in place thereof the following:- "$173,495,002"; and**
**By inserting after section 99 the following section:-**
**"SECTION 99A. Section 186 of said chapter 139 is hereby amended by striking out the words 'on or before December 31, 2013'."**
**The amendment was adopted.**
**Ms. Spilka, Messrs. Donnelly, Wolf, Downing, Kennedy, Finegold, DiDomenico and Knapik, Ms. Donoghue, Messrs. Keenan, Eldridge, Brownsberger and Michael O. Moore, Ms. Clark and Mr. McGee moved that the proposed new text be amended in section 2, in item 7003-0803, by striking out the figure "$4,494,467" and inserting in place thereof the following figure:- "$6,000,000".**
**The amendment was *rejected*.**

**Mr. Michael O. Moore, Ms. Chang-Diaz, Messrs. Rodrigues and DiDomenico, Ms. Clark, Messrs. Keenan, Joyce and Finegold, Ms. Lovely, Messrs. Wolf and Knapik, Ms. O'Connor Ives, Mr. Montigny, Ms. Donoghue, Messrs. Rush, Eldridge and Brownsberger, Ms. Spilka, Messrs. Ross and Barrett, Ms. Jehlen and Messrs. Kennedy, McGee and Donnelly moved that the proposed new text be amended by inserting, in line 1540, after the words "section 3", inserted by amendment 49, the following words:- "(iv) $11,500,000 to the department of early education and care to be distributed to increase reimbursement rates for subsidized early education and care, for salaries, benefits and stipends for professional development of early education and care workers or programmatic quality improvements".**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes past ten o'clock P.M., on motion of Mr. Michael O. Moore, as follows, to wit *(yeas 39 — nays 0)* [Yeas and Nays No. 77]:**
**YEAS.**
**Barrett, Michael J. Knapik, Michael R.**
**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.**
**Clark, Katherine M. Murray, Therese**
**Creem, Cynthia Stone O'Connor Ives, Kathleen**
**DiDomenico, Sal N. Pacheco, Marc R.**
**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.**
**Hedlund, Robert L. 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.**

**The yeas and nays having been completed at eight minutes ten o'clock P.M., the amendment was adopted.**
**Messrs. Hedlund, Tarr and Knapik moved that the proposed new text be amended by inserting after section ___, the following new sections:-**
**"SECTION ___. Section 32 of chapter 121B of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:-**
**Notwithstanding any general or special law or regulation to the contrary, an applicant for assisted housing under this chapter who is not eligible for federal assisted housing under 42 U.S.C. section 1436a, and who is not a person residing in**

**the United States as defined in regulations of the federal Department of Health and Human Services, shall not displace or be given priority over any applicant who is so eligible."**
**After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter past ten o'clock P.M., on motion of Mr. Hedlund, as follows, to wit *(yeas 11 — nays 27)* [Yeas and Nays No. 78]:**
**YEAS.**
**Hedlund, Robert L. Rodrigues, Michael J.**
**Knapik, Michael R. Ross, Richard J.**
**Lovely, Joan B. Rush, Michael F.**
**Moore, Michael O. Tarr, Bruce E.**
**Moore, Richard T. Timilty, James E. − 11.**
**O'Connor Ives, Kathleen**
**NAYS.**
**Barrett, Michael J. Flanagan, Jennifer L.**
**Brewer, Stephen M. Jehlen, Patricia D.**
**Brownsberger, William N. Joyce, Brian A.**
**Candaras, Gale D. Keenan, John F.**
**Chandler, Harriette L. Kennedy, Thomas P.**
**Chang-Diaz, Sonia McGee, Thomas M.**
**Clark, Katherine M. Montigny, Mark C.**
**Creem, Cynthia Stone Pacheco, Marc R.**
**DiDomenico, Sal N. Petruccelli, Anthony**
**Donnelly, Kenneth J. Rosenberg, Stanley C.**
**Donoghue, Eileen M. Spilka, Karen E.**
**Downing, Benjamin B. Welch, James T.**
**Eldridge, James B. Wolf, Daniel A. − 27.**
**Finegold, Barry R.**

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

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**There being no objection, during the consideration of the Orders of the Day, the following matters were considered as follows:**
**PAPER FROM THE HOUSE**
**Engrossed Bill.**
**An engrossed Bill establishing a sick leave bank for Melanie Chapman, an employee of the Trial Court (see House, No. 1179, amended) (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 two thousand fourteen 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. 3401),-- was further considered, the main question being on ordering it to a third reading.**
**Mr. Brewer moved that the proposed new text be amended in section 2, in item 1410-1616 by inserting after the word "Brigade", in line 7, the following words:- "; provided further, that $150,000 shall be expended for the Barre Civil War Memorial";**
**In said section 2, in said item 1410-1616, by striking out the figure "$160,000" and inserting in place thereof the following figure:- "$540,000";**
**In said section 2, in item 1599-0026, by inserting after the word "improvements", in line 1, the following words:- "; provided further, that $2,000,000 shall be expended for a pilot program to promote tourism and community development in central and western Massachusetts; provided further, that eligible recipients shall include municipalities, school districts and not-for-profit organizations; provided further, that not less than $250,000 be expended to Plymouth county for the purposes of acquiring saltwater dredging equipment, provided further, that any equipment shall be owned, operated and maintained by Plymouth county";**
**In said section 2, in said item 1599-0026, by striking out the figure "$7,000,000" and inserting in place thereof the following figure:- "10,250,000";**
**In said section 2, in said item 1775-0115, by striking out the figure "$5,296,020", each time it appears, and inserting in place thereof the following figure:- "$5,546,020";**
**In said section 2, in item 2200-0100, by adding the following words:- "; and provided further, that $250,000 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";**
**In said section 2, in said item 2200-0100, by striking out the figure "$27,872,469" and inserting in place thereof the following figure:- "28,122,469";**
**In said section 2, in item 2300-0100, by striking out the figure "719,979" and inserting in place thereof the following figure:- "$869,979";**
**In said section 2, in said item 2330-0100, by striking out the figure "$4,759,039" and inserting in place thereof the following figure:- "$5,309,039";**
**In said section 2, in item 2810-0100, by inserting after the word "item", in line 11, the following words:- "provided further, that not less than $100,000 shall be expended for the operation of the Gardner Heritage State Park in the city of Gardner;";**
**In said section 2, in said item 2810-0100, by striking out the figure "$41,044,957" and inserting in place thereof the following figure:- "$41,444,957";**
**In said section 2, in said item 7003-1206, by striking out the figure "$600,000" and inserting in place thereof the following figure:- "$1,075,000";**
**In said section 2, in item 7008-0900, by inserting after the word "commonwealth", in line 3, the following words:- "; provided further, that $25,000 shall be expended for the Cape Cod Canal Centennial Celebration; provided further, that $50,000 shall be expended for the North Quabbin Chamber of Commerce to establish a regional tourism council for the North Quabbin area; provided further, that no less than $125,000 shall be expended as matching grants to the Plymouth 400 Committee for the commemoration of the town of Plymouth's four hundredth anniversary; provided further, that $25,000 shall be expended for the three hundred and seventy-fifth anniversary in the town of Sandwich; provided further, that not less than $10,000 shall be expended for the town of Oxford's Tercentennial celebration; provided further, that not less than $20,000 shall be expended for the planning of the town of Southbridge's Bicentennial celebration; provided further, that not less than $100,000 shall be expended to Plimoth Plantation for restoration of the Mayflower II";**
**In said section 2, in said item 7008-0900, by striking out the figure "$5,924,728" and inserting in place thereof the following figure:- "$6,714,728;**
**In said section 2, in item 7009-9600, by striking out the figure "$400,000" and inserting in place thereof the following figure:- "$700,000";**
**In said section 2, in item 7070-0066, by striking out, in line 9, the word "regulations" and inserting in place thereof the following word:- "guidelines";**
**In said section 2, in item 7100-0200, by adding the following words:- "; and provided further, that $50,000 shall be expended for the University of Massachusetts at Amherst to conduct an industrial base analysis in the North Quabbin region";**
**In said section 2, in said item 7100-0200, by striking out the figure "$454,818,314" and inserting in place thereof the following figure:- "$454,868,314";**
**In said section 2, in item 8324-0000, by inserting after the word "cent", in line 20, the following words:- "; provided further, that not less than $100,000 shall be expended for the Fire Chiefs' Association of Plymouth County to develop and upgrade the emergency radio communications system in Plymouth county";**
**In said section 2, in said item 8324-0000, by adding the following words:- "; and provided further, that 100 per cent of the amount appropriated in this item for the development and upgrade of the emergency radio communications system in Plymouth county 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";**
**In said section 2, in item 8900-0001, by adding the following words:- "; and provided further, that not less than $100,000 shall be expended to enhance qualified behavioral health services provided by the employee assistance services unit";**
**In said section 2, in said item 8900-0001, by striking out the figure "$540,651,975" and inserting in place thereof the following figure:- "$542,976,975";**
**In section 2E, in item 1595-6368, by adding the following words:- "; provided further, that not less than $770,000 shall be provided to the Montachusett regional transit authority for a contract with Community Transit Services to ensure services shall not be reduced in fiscal year 2014; and provided further, that the Massachusetts Department of Transportation and the Montachusett regional transit authority shall work in conjunction with Community Transit Services and the town of Athol to phase out services not currently covered by the regional transit authority not later than July 1, 2014";**
**In said section 2E, in said item 1595-6368, by striking out the figure "$244,922,851" and inserting in place thereof the figure:- "$245,887,215";**
**In section 5, by striking out, in line 63, the words "an annual audit by the state auditor"; and inserting in place thereof the following words:- "audit by the state auditor under section 12 of chapter 11";**
**In section 49, by inserting after the word "determination", in line 662, the following words:- "under paragraph (2) of subsection (c)";**
**In section 64, by inserting after the word "auditor", in line 970, the following words:- "under section 12 of chapter 11";**
**In section 71B, inserted by amendment 236, by striking out the words "at least", the first 2 times it appears;**
**In section 92, in proposed section 3C, in subsection (a), by inserting after the introductory clause the following definition:- 'Ambulance service benefits', coverage for transportation services rendered by an ambulance service provider under an**

**insurance policy or insurance contract."**
**In section 135, by striking out, in line 1857, the words "shall make available" and inserting in place thereof the following words:- "may spend not more than";**
**In section 139, by striking out the last paragraph and inserting in place thereof the following paragraph:-**
**"Nothing in this section shall preclude a sitting member of the art commission for the commonwealth established in section 19 of chapter 6 of the General Laws from being appointed to the art commission for the state house established in section 20 of said chapter 6."; and**
**By inserting after section 139 the following section:-**
**"Section 139A. Notwithstanding any general or special law to the contrary, the catastrophic illness in children relief fund commission may expend funds in the Catastrophic Illness in Children Relief Fund, in consultation with the secretary of administration and finance, in anticipation of revenue in fiscal year 2014.".**
**After remarks, 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 further remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at a quarter past eleven o'clock P.M., on motion of Mr. Brewer, as follows, to wit *(yeas 36 — nays 3)* [Yeas and Nays No. 79]:**
**YEAS.**
**Barrett, Michael J. Kennedy, Thomas P.**
**Brewer, Stephen M. Knapik, Michael R.**
**Brownsberger, William N. Lovely, Joan B.**
**Candaras, Gale D. McGee, Thomas M.**
**Chandler, Harriette L. Montigny, Mark C.**
**Chang-Diaz, Sonia Moore, Michael O.**
**Clark, Katherine M. 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. Rush, Michael F.**
**Flanagan, Jennifer L. Spilka, Karen E.**
**Jehlen, Patricia D. Timilty, James E.**
**Joyce, Brian A. Welch, James T.**
**Keenan, John F. Wolf, Daniel A. − 36.**
**NAYS.**
**Hedlund, Robert L. Tarr, Bruce E. − 3.**
**Ross, Richard J.**

**The yeas and nays having been completed at seventeen minutes past eleven o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendments. [For text of Senate amendments, see Senate, No. 1800, printed as amended.]**
**Sent to the House for concurrence in the amendments.**
**Order Adopted.**
**On motion of Ms. Jehlen,--**
**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.**
**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 the MIT Officer Sean Allen Collier.**

**Adjourn In Memory of Officer Sean Allen Collier**

**The Senator from Essex and Middlesex, Mr. Tarr, and the Senator from Middlesex, Ms. Jehlen, moved that when the Senate adjourns today it adjourn in memory of Officer Sean Allen Collier.**
**MIT Officer Sean Allen Collier, age 27, of Somerville, formerly of Wilmington, died in the line of duty on April 18, 2013, after being attacked by the men suspected of detonating the Boston Marathon explosions. Officer Collier joined the MIT Police Department on January 9, 2012, after being a civilian employee with the Somerville Police Department.**
**Officer Collier was an active and beloved member of the MIT student community, going on skiing and hiking trips with students as a member of the MIT Outing Club. As one MIT student said, "He loved us, and we loved him." Officer Collier was also an active member of World Adult Kickball Association's Massachusetts league, on Team Kickhopopotamus. Officer Collier was born to be a police officer; he was always willing to lend a helping hand and was always looking out for everybody since his childhood years.**

**Officer Collier is survived by his parents Allen Collier of Alton, New Hampshire and Kelley (Kelleher) and stepfather Joseph Rogers of Wilmington. He is also survived by five siblings, Nicole Lynch, Jennifer Lemmerman, Robert Rogers, Jennifer Rogers and Andrew Collier.**

**Accordingly, as a mark of respect in memory of Officer Sean Allen Collier, at twenty minutes past eleven o'clock P.M., on motion of Mr. Rush, the Senate adjourned to meet again on Tuesday next at eleven o'clock A.M.**