UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.

JOURNAL OF THE SENATE..

Tuesday, July 1, 2014.

Met at one minute past one o'clock P.M. (Mr. Richard T. Moore in the Chair).

Reports of Committees.

By Mr. Welch, for the committee on Health Care Financing, that the Senate Bill relative to financial services contracts for dental benefits corporations (Senate, No. 2156),-- ought to pass [Estimated cost-more than $100,000];
Under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Welch, for the committee on Health Care Financing, that the Senate Bill relative to psychotropic medications (Senate, No. 303),-- ought to pass [Estimated cost-less than $100,000]; and
By the same Senator, for the same committee, that the Senate Bill to protect essential health services (Senate, No. 2074),-- ought to pass [Estimated cost-less than $100,000];
Severally, under Senate Rule 26, referred to the committee on Ethics and Rules.

By Mr. Welch, for the committee on Health Care Financing, on Senate, Nos. 291, 511, 540, 557, 1049, 1062, 1100, 1817, 1933, and 2075, an Order relative to authorizing the joint committee on Health Care Financing to make an investigation and study of certain current Senate documents relative to health care financing issues (Senate, No. 2237);
Referred under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Welch, for the committee on Health Care Financing, on petition, a Bill to provide for primary and preventative health care services for certain children in the Commonwealth (Senate, No. 504) [Estimated cost-more than $100,000];
By Mr. Brownsberger, for the committee on the Judiciary, on petition, a Bill to provide for the waiver of fees for contesting motor vehicle infractions (Senate, No. 713);
By the same Senator, for the same committee, on petition, a Bill relative to construction defect claims by condominium owners (Senate, No. 726); and
By the same Senator, for the same committee, on petition, a Bill to update privacy protections for personal electronic information (Senate, No. 796);
Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Brownsberger, for the committee on the Judiciary on Senate No. 700 and House No. 1188, a Bill to provide landowners title protection (Senate, No. 700);
Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Committees Discharged

Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, reported, asking to be discharged from further consideration of the Senate Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents relative to judicial issues (Senate, No. 2234),-- and recommending that the same be

referred to the committee on Ethics and Rules.
Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:
Petition (accompanied by bill, House, No. 4238) of Carolyn C. Dykema (by vote of the town) that the town of Southborough be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises; and
Petition (accompanied by bill, House, No. 4239) of Carolyn C. Dykema (by vote of the town) that the town of Southborough be authorized to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises;
Severally, to the committee on Consumer Protection and Professional Licensure.

Bills
Establishing a sick leave bank for Lana A. Soricelli, an employee of the Executive Office of Administration and Finance (House, No. 4202,-- on petition); and
Establishing a sick leave bank for Mariange Robert, an employee of the Department of Correction (House, No. 4203, amended, -- on petition);
Were severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

Bills
Exempting the position of deputy chief of police in the town of Natick from the civil service law (House, No. 3552,-- on petition) [Local approval received];
Filling vacancies in ward seats of the city council and school committee by special election in the city of Springfield(House, No. 3696,-- on petition) [Local approval received];
Relative to the term of mayor of the City of Salem (House, No. 3915,-- on petition) [Local approval received]; and
Increasing the number of licenses for the sale of alcoholic beverages in the town of Easton (House, No. 4198,-- on House, No. 4116) [Local approval received on House, No. 4116];
Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

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

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

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

August 27, 2014

Mr. William F. Welch
Clerk of the Massachusetts Senate
State House, Room 335
Boston, MA 02133

Dear Mr. Clerk:
On Monday, June 30, 2014 I was out of state, traveling for a family obligation. Unfortunately, this caused me to be absent from the Chamber during a formal session, and miss Senate action on two final conference reports: H 4235, An Act relative to compounding pharmacy regulation and H. 4242, An Act making appropriations for the fiscal year 2015 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth.
Please know that had I been present in the Chamber I would have voted in the affirmative on both matters, and supported the adoption of the conference report for H. 4235 and the enactment of H. 4242.
I respectfully request that this communication be printed in the Senate Journal. Thank you in advance for your assistance in this matter.

Sincerely,
BENJAMIN B. DOWNING, *State Senator*
Berkshire, Hampshire, Franklin & Hampden District

On motion of Mr. Downing, the above communication was ordered printed in the Journal of the Senate.

Report of a Committee.

The following report was laid before the Senate, the time within which the said committee was required to report having expired:--
Of the committee on Public Service, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2131) of Stanley C. Rosenberg and Stephen Kulik (by vote of the town) for legislation to authorize the town of Sunderland to continue the employment of James P. Bielunis as a call firefighter.
On motion of Mr. Lewis, the rules were suspended; and, on further motion of the same Senator, the petition was recommitted to the Joint Committee on Public Service.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows, to wit:
Petition (accompanied by bill, House, No. 4250) of Ruth B. Balser, Kay Khan and Cynthia S. Creem relative to authorizing the State Retirement Board to increase the survivor benefits of Renee Brant, widow of the Honorable Jonathan Brant; and
Petition (accompanied by bill, House, No. 4251) of Paul R. Heroux that the State Board of Retirement shall grant an increased accidental disability retirement allowance to Howard S. Levine;
Severally, under suspension of Joint Rule 12, to the committee on Public Service.
Petition (accompanied by bill, House, No. 4252) of John J. Lawn, Jr., Michael Barrett and Thomas M. Stanley for legislation to authorize the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the city of Waltham;
Under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a sick leave bank for Andrea Thomas, an employee of the Division of Capital Asset Management and Maintenance (House, No. 4177),-- ought to pass.
There being no objection, the rules were suspended, on motion of Mr. Brewer, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Orders of the Day.

The Orders of the Day were considered as follows:
Bills
Relative to community shared solar energy systems in the town of Harvard (Senate, No. 2138);
Relative to a betterment assessment in the town of Sturbridge (Senate, No. 2140):
Relative to the appeal of a site plan decision in the town of Stoneham (Senate, No. 2164);
Authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 2166);
To increase the number of all alcohol licenses for restaurants in the town of Arlington (Senate, No. 2177);
Authorizing the board of selectmen of the town of Westport to borrow money for the payment of certain medical expenses for certain public safety personnel (Senate, No. 2193);
Exempting the position of deputy police chief in the town of Dedham from the civil service law (House, No. 3517);
Authorizing the reinstatement of Kenneth G. Laxton as a reserve police officer in the town of Southwick (House, No. 3853);
Authorizing the town of Plymouth to exchange a parcel of land held for water purposes for a parcel of land in the town of Plymouth (House, No. 3960); and
Relative to the sale of all alcoholic beverages to be drunk on the premises in the town of Topsfield (House, No. 4167);
Were severally read a second time and ordered to a third reading.

The House Bill promoting economic growth across the Commonwealth (House, No. 4181),-- was read a second time.
Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means (substituting a new text, Senate, No. 2231), and pending the main question on ordering the bill to a third reading, Ms. Candaras offered the following communication on the proposed new text:

Remarks of Senator Gale D. Candaras.

Good afternoon, Madame President, and to all assembled here today. The bill before us today is the product of a lot of hard work on behalf of the Committee in conjunction with your office and the Senate Ways and Means Committee and Committee staff, and I would like to laud their exemplary service and tirelessness across the weekend, which brings us to this moment.
Madame President, you will be remembered as the Senate President who raised the minimum wage to the highest in the country and as the Senate President who wanted people throughout the state to have opportunities the training necessary to secure good jobs and build meaningful, self-sufficient lives. You have been a compassionate Senate President while at the same time being

the business savvy Senate President. This bill reflects how closely you listened to what business leaders and budding entrepreneurs statewide told us they need to be successful. Thank you for hearing the voices of those of us from districts in far flung corners of the state and for understanding that ultimately, the strength and vitality of the Massachusetts economy will ultimately be judged by the strength and vitality of the entire state and all its people, not just those people and communities inside 495.

And to the gentleman from Barre, Mr. Chairman, you and your staff, have made excellent partners in creating a bill that is fiscally-sound, policy-driven, sustainable and, most importantly, tends to those parts of our state that have not yet recovered from the recent recession and, of equal concern, parts of the state that have never recovered from the loss of manufacturing and industry decades ago. I remember that the Minority Leader gave you a tri-cornered hat at the end of our budget debate. It was a kind and light-hearted gesture from Minority Corner. Yet it was recognition that you have worn so many hats in your distinguished career here at the State House. Today, I want to recognize you not just for all of those roles but to recognize you for the heart you wear on your sleeve for the people of your district and, indeed, for all who live outside of Greater Boston. You have been their champion and the champion for so many other worthwhile causes. This bill reflects your genuine concern that these folks, their businesses, and their communities get what they need to recover and prosper alongside Greater Boston and to buoy and lift our entire state.

When this bill is done, I hope the hard work we will do here today, Madam President and Mr. Chairman, will be seen in Springfield, Holyoke, Chicopee and as far west as Pittsfield and North Adams, as far Southeast as New Bedford and Fall River, and folks in Central Mass Communities like Fitchburg and Leominster will feel the benefit, folks on the North shore by Gloucester and Salisbury, and in communities like Quincy and Weymouth will get much needed help as will folks on the Cape and Islands. And, finally, our work will be felt in rural communities, like Barre, struggling to recover from both economic and natural disasters.

This bill carries forward and builds on the prior efforts of this chamber on behalf of the working people in cities and towns across the Commonwealth in an effort to strengthen and enhance the economy through targeted and strategic economic development policies and investments. You will note that in this bill we take great care to include and fund programs that will transform underperforming areas of the state and we invest in programs that will focus on moving our economy forward.

Not only are certain sectors of the economy lagging behind but, geographically, large pockets of the state do not enjoy the successes of the New Economy and struggle mightily with the old economy: a chronically depressed economy made worse yet by the great recession; an old economy of joblessness and despair, of boarded up buildings and disenfranchised youth. These cities and towns are populated with thousands of young people, ready, willing and able to work. All they need is a clear pathway to success. For many of these folks, college is not immediately an option for them and they cannot see a future for themselves without a college degree. Worse yet, we have lead our young people to believe that if they do not go immediately to college, they are doomed. Nothing could be further from the truth. There are many pathways to success that are not always linear. We must give these folks, and everyone in the Commonwealth, opportunities to work, to build their skill level, and to excel.

This bill fosters a new dialogue and lights a new path--a path that worked for many of us first generation Americans--a path that started when we acquired skills in high school and went to work immediately upon graduation. Getting more education and skills at night at a local community college, working hard, eventually getting a college degree--is the way so many successful people in this building built their lives. One day at a time. One step at a time. One degree at a time. Young people do not have to live their entire lives in the first fifteen minutes in order to grow to be successful, contributing members of our society. We must provide them the tools to help them get their first job - that is the key! Success builds confidence and breeds more success. The need for jobs in our poorest cities and rural communities is the most paramount need we must meet!

This is also true for our employers. We have thousands of employers who tell us they cannot find the skilled workers they need in our economy, especially in STEM, Science, Technology, Engineering and Math. Although many of these jobs require advanced degrees, many do not. We need middle skill workers in everything from precision manufacturing to IT. In some parts of the state, the need for precision machinists and IT workers is so acute that employers are collaborating and establishing their own training programs. These are good paying jobs with benefits and bright futures. We have had enormously successful pilot projects, but these modest efforts cannot meet the need. We need thousands of middle skill workers and IT workers, and we must partner with our colleges and universities to develop the programs that meet the needs of Massachusetts employers. This work is already under way in some parts of the state. We need to scale up these programs quickly.

We have businesses saying that in order to be successful, they have to be in the 617 area code because it’s in the 617 area code that employers and entrepreneurs can find workers and technical support and collaboration.

We need to make sure that in our economy, destiny does not depend upon geography such that having a job or growing a business depends on your area code. This bill strives to enhance job growth and business opportunities throughout the state.

We have, in other legislation, built a strong foundation and a bright future for Massachusetts with significant investments in Life Sciences and Green Energy Technology and so much more. We have solved business problems and started important pilot programs and important workforce initiatives. This legislation builds upon programs and work we have done previously. This bill focuses on solving some business problems in the here and now with an emphasis on trying to attract businesses to parts of the state left behind--attracting them with an educated workforce, with clean developable sites, with opportunities for transformative development in struggling areas - all with a goal of advancing our economy and making every business sector and local economy a vital, thriving one.

This bill strengthens the ties already in place and marries business to public education and to our workforce so that they partner in meeting each other’s needs and speaking to their government with one voice.

There are new and exciting initiatives as well. We drill down and explore how Big Data can become a new market sector and help businesses solve problems. More significantly, we fund exploration of ways to use Big Data to better serve the people of the Commonwealth by aggregating and analyzing information and making service delivery more efficient and effective. Other states are using Big Data to better serve their citizens and support businesses.

Madame President, This bill is aspirational in tone and intent. It aspires to help cities and towns left behind and people left out of the "new economy" or the "innovation economy". It's aspirational in that we seek to change the dialogue around the desirability of investing in areas outside the greater Boston area and instill hope where presently there may be little hope. It's aspirational for every city and town and every person who needs a job: young, older, disabled, graduating from high school, downsized and needing to go back to work, wanting a new direction. We aspire to inspire and help our citizens transitioning from school to work, from unemployment to work, or from poverty to work to find a new path forward. This bill will not accomplish all of that but the journey of a thousand miles begins with the first step.

Madame President, I thank you and the people of the first Hampden and Hampshire District for the Opportunity to Serve. I ask that these remarks be spread upon the record and I ask that when the vote be taken, it be taken by a call of the yeas and nays.

On motion of Ms. Candaras, the remarks were ordered printed in the Journal of the Senate.

Messrs. Downing, Kennedy and DiDomenico, Ms. Donoghue, Messrs. Timilty, Montigny, Michael O. Moore, Finegold, Brownsberger, Wolf, Eldridge and McGee, Ms. Chang-Diaz, Ms. Lovely, Ms. Forry, Ms. Jehlen, Messrs. Lewis, Barrett and Petruccelli moved that the proposed new text be amended in line 7002-1507 by striking out the figure "$10,000,000" and inserting in place thereof the following figure:- "$15,000,000".

The amendment was *rejected*.

Messrs. Downing, Kennedy and DiDomenico, Ms. Donoghue, Messrs. Montigny, Finegold, Michael O. Moore, Wolf and McGee, Ms. Lovely and Ms. Forry moved that the proposed new text be amended in item 7002-1506 by striking out the figure "$10,000,000" and inserting in place thereof the following figure:- "$20,000,000".

The amendment was *rejected*.

Mr. Downing, Ms. Donoghue, Messrs. Wolf and Montigny and Ms. Jehlen moved that the proposed new text be amended by inserting at the end thereof the following new item:--

"xxxx-xxxx. For a competitive grant program to be run by the Massachusetts cultural council to fund the Adams Arts Program to provide cultural districts established under section 58A of chapter 10 of the General Laws with funds to advance the mission of said cultural districts, as set forth in said section 58A of said chapter 10, to attract artists and cultural enterprises to a community, encourage business and job development, establish tourist destinations, preserve and reuse historic buildings, enhance property values and foster local cultural development. The program shall be open to all state-designated cultural districts …………………… $500,000."

The amendment was *rejected*.

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

"SECTION__. Section 148B of chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after the paragraph designation '(a)' in line 1, the following numeral:- (1)

Section 2. Said section 148B of said chapter 149 is hereby further amended by inserting after the word 'performed.', in line 11, the following words:- (a)(2) An individual who has pre-registered as a payroll-taxpaying entity with the Department of Revenue and has attested that said registration is being provided "voluntarily and free from coercion by any person or entity" shall be considered to have satisfied test (2) in (a)(1) above if the contract for work:

(1) Provides compensation that equals or exceeds $30 per hour, or $1,200 per week, or $5,160 per month, or

(2) Involves either: a) the provision of services requiring professional certification or licensure and the individual possesses such certification or licensure; or b) conducting business in a franchise relationship subject to the rules and regulations of the Federal Trade Commission, and the relationship complies with those rules and regulations, or

(3) Provides for work that by occupational definition consistently requires any of the following: (a) exercise of discretion and independent judgment with respect to matters of significance; (b) advanced knowledge in a field of science or learning; or (c) invention, imagination, intellect, creativity, originality, or talent in a recognized field or artistic or creative endeavor, or

(4) Grants the individual either ownership of or copyright to the work product."

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at three minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 4 − nays 35) **[Yeas and Nays No. 379]:**

YEAS.

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

NAYS.

Barrett, Michael J.	Kennedy, Thomas P.

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

The yeas and nays having been completed at six minutes past two o'clock P.M., the amendment was *rejected*.
Messrs. Tarr and Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new sections:-
"SECTION__. Section 38 of Chapter 63 as appearing in the 2012 official edition is hereby amended by inserting at the end thereof the following new section:-

Super Research and Development Tax Credit

Section 1. A business corporation or taxpayer that qualifies for the research expense tax credit allowed under section 38M of this Chapter and 830 CMR 63.38M.1 is allowed an additional credit against the tax due under this section equal to the excess, if any, of qualified research expenses for the taxable year over the super credit base amount. For purposes of this section, 'super credit base amount' means the average amount spent on qualified research expenses by the taxpayer in the 5 taxable years immediately preceding the effective date of this section, increased by 50%. For purposes of this section, 'qualified research expenses' has the same meaning as under 830 CMR 63.38M.1 but applies only to expenditures for research conducted in this State.
Section 2. The credit allowed under this section is limited to 50% of the taxpayer's tax due after the allowance of any other credits

taken pursuant to this chapter.
Section 3. A business corporation or taxpayer entitled to a credit under this section for any taxable year may carry over and apply to the tax due for any one or more of the next succeeding 5 taxable years the portion, as reduced from year to year, of any unused credit, but in no event may the credit applied in any single year exceed 50% of the taxpayer's tax due after the allowance of any other credits taken pursuant to this chapter.
Section 4. The credit provided by this section may not be used to reduce the business corporation or taxpayer's tax liability under this section to less than the amount of the taxpayer's tax due in the preceding taxable year after the allowance of any credits taken pursuant to this chapter.
Section 5. In the case of corporations filing a combined return, a credit generated by an individual member corporation under the provisions of this section must first be applied against the tax due attributable to that company under this Part. A member corporation with an excess research and development credit may apply its excess credit against the tax due of another group member to the extent that that other member corporation can use additional credits under the limitations of subsection 4. Unused, unexpired credits generated by a member corporation may be carried over from year to year by the individual corporation that generated the credit, subject to the limitation in subsection 3."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-one minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 4 − nays 35) **[Yeas and Nays No. 380]:**

YEAS.

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

NAYS.

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

Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – **35.**
Keenan, John F.	

The yeas and nays having been completed at twenty-four minutes past two o'clock P.M., the amendment was *rejected*.
Mr. Donnelly, Ms. Creem, Messrs. Michael O. Moore and Keenan moved that the proposed new text be amended in section 2A, in line 152, in item 7002-1704, by striking out the figure "$1,000,000" and inserting in place thereof the following figure:- "$2,000,000".
After remarks, the amendment was adopted.
Messrs. Donnelly, Keenan and McGee, Ms. Jehlen and Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section __, the following new sections:-
"SECTION __. Chapter 7 of the General Laws, as so appearing, is hereby amended by inserting after section 22O the following section:-
Section 22P. Any state department, office, commission, institution or regional authority contracting for cleaning, maintenance or security guard services in any buildings shall abide by section 27H of chapter 149 and any rules promulgated thereunder. Any procurement bid with the operational services division or any other state procurement agent that does not follow the requirements of this section or any rules promulgated hereunder shall be deemed a nonresponsive bid. Any contract entered into by any department, office, commission, institution or regional authority, shall be void if it is not in compliance with this section and section 27H of chapter 149.
SECTION __. Section 27H of chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in lines 1 and 2, the words 'the cleaning and maintenance of' and inserting in place thereof the following words:- cleaning, maintenance or security guard services in.
SECTION __. Said section 27H of said chapter 149, as so appearing, is hereby further amended by inserting after the word 'maintenance', in line 6, the following words:- , security guard."
The amendment was adopted.
Ms. O'Connor Ives and Mr. Montigny moved that the proposed new text be amended by inserting the following new section:-
"Section XX. (a) Section 52 of Chapter 10 of the General Laws, as so appearing, is hereby amended by striking out the words 'The governor shall also seek to assure membership from varied regions of the state' and inserting in place thereof:- 'The council shall include at least one member residing in each of the Commonwealth's fourteen counties, and not more than three members residing in any one county.'
(b) This section shall take effect as of January 1, 2018."
After remarks, the amendment was adopted.
Ms. Creem and Ms. Candaras moved that the proposed new text be amended by adding at the end thereof the following three sections:
"SECTION__. Chapter 183A of the General Laws is hereby amended by striking out section 16, as appearing in the 2010 Official Edition, and inserting in place thereof the following section:-
Section 16. The owners of any land may submit that land under this chapter by the recording in the registry of deeds of a master deed or, if all of the land is registered under chapter 185 and the owners do not wish to withdraw the land from the operations of said chapter185, by filing the master deed under said chapter185. If the whole or a portion of the land desired to be submitted under this chapter is registered land under said chapter 185, such recording of a master deed shall be a sufficient ground for withdrawal of the registered land from said chapter 185.
SECTION__. Chapter 185 of the General Laws is hereby amended by striking out section 52, as so appearing, and inserting in place thereof the following section:-
Section 52. The obtaining of a judgment of registration and the entry of a certificate of title shall be regarded as an agreement running with the land and binding upon the plaintiff and the plaintiff's successors in title that the land shall be and forever remain registered land and subject to this chapter, unless withdrawn under this section or under section 16 of chapter 183A and except as provided in section 26.
If all of a parcel of land, the title to which is registered under this chapter, is acquired by the commonwealth or any agency, department, board, commission or authority of the commonwealth or any political subdivision thereof or any authority of any

such political subdivision, such acquisition shall be a sufficient ground for withdrawal of the registered land from this chapter. The land shall be withdrawn upon the filing of a complaint with the court by the public entity that has acquired the registered land and the approval of the complaint by the court.

All of the owners of the fee simple estate in all of a parcel of land, the title to which has been registered under this chapter, may voluntarily withdraw the registered land from this chapter by filing a notice of voluntary withdrawal, endorsed by a justice of the land court as provided in this section, in the registry district of the land court where the land lies. Such notice of voluntary withdrawal shall be noted on the memorandum of encumbrances for the certificate of title. Upon the filing of such notice, the land shall be withdrawn from this chapter and shall become unregistered land and the owners shall hold title to the land at the time of such filing free of all liens and encumbrances existing as of the time of filing of the notice, including adverse possession and prescriptive rights, as though a judgment of confirmation without registration effective as of the time of filing of the notice had been recorded under section 56A; provided, however, that the owner shall not hold title free of the encumbrances set forth or referred to in section 46 and those noted on the certificate of title or filed for registration before the filing of the notice of voluntary withdrawal.

As used in this section, 'notice of voluntary withdrawal' shall mean an instrument in writing signed and acknowledged by all owners of the land to be voluntarily withdrawn and contains the following information: names and addresses of all owners; the certificate of title number with the registration book and page numbers; the description of the land in the form contained in the certificate of title; and the street address of such land, if any, and which bears the endorsement of a justice of the land court approving the voluntary withdrawal as provided in this section. Upon filing with the land court of a complaint to withdraw land, the plaintiff shall deposit with the recorder a sum sufficient to cover costs of the proceeding. The court shall then appoint 1 of the examiners of title, who shall make a report to the court as to the identity of the current record owners and of all mortgagees and lessees with interests of record in the land. Unless, after notice is given to the mortgagees and lessees of record, an outstanding objection has been filed by a mortgagee or lessees of record, a justice of the land court shall approve the application and shall endorse the plaintiff's notice of voluntary withdrawal if: (i) the registered land constitutes less than all of the total area of a single parcel or of 2 or more contiguous parcels in common ownership; (ii) the registered land consists of less than 10 per cent of the portion of the land area to which an original certificate of title pertains and the rest of the land area to which that certificate pertains was conveyed under this chapter since the original registration; (iii) the owners of the registered land have submitted the land, or satisfy the court that they will submit the land, to chapter 183A or 183B or have created interests in the land to which said chapter 183B is applicable under section 3 of chapter 760 of the acts of 1987, or satisfy the court that they will create those interests; (iv) the owners of the registered land establish that the registered land is improved with an occupied building not used or occupied as or in connection with, and not designed or intended for use or occupancy as or in connection with, a 1 to 4 family residential dwelling; or (v) the court finds that the owners of the registered land have demonstrated other good cause for withdrawal under this section, including, but not limited to, economic hardship by reason of the land being registered which may include the burdens and expenses of further dividing the registered land into lots for separate conveyance. Notwithstanding any such outstanding objection, the application may be approved, unless the court determines there is good cause for the objection. The justices of the land court shall establish rules and practices, including an appropriate filing fee for the application as are necessary to implement this section.

SECTION__. Section 62 of chapter 185 of the General Laws is hereby amended in the second sentence by inserting, between the word 'instrument' and the word 'shall,' a comma and the following words:- or by the presentation of a deed or other instrument executed on behalf of a corporation by a person or persons falsely purporting to be the president, vice president, treasurer, or assistant treasurer of such corporation,."

After remarks, the amendment was adopted.

Messrs. Brownsberger, Michael O. Moore and DiDomenico and Ms. Forry moved that the proposed new text be amended in section 2A, by inserting after line 177, the following new item:-

"7027-0019 For school-to-career connecting activities; provided, that notwithstanding any general or special law to the contrary, the board of elementary and secondary education, in cooperation with the executive office of labor and workforce development and the state workforce investment board, may establish and support a public-private partnership to link high school students with economic and learning opportunities on the job as part of the school-to-career transition program; provided further, that this program may include the award of matching grants to workforce investment boards or other local public-private partnerships involving local community job commitments and work site learning opportunities for students; provided further, that the grants shall require at least a 200 per cent match in wages for the students from private sector participants; provided further, that the program shall include, but not be limited to, a provision that business leaders commit resources to pay salaries, to provide mentoring and instruction on the job and to work closely with teachers; and provided further, that public funds shall assume the costs of connecting schools and businesses to ensure that students serve productively on the job
…………………………………………. $2,000,000".

The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 7002-1510, by inserting at the end thereof the following words:- "; provided further, that not less than $50,000 shall be expended on the administration of economic development projects in the town of Dover"; and by striking out the figures "$1,500,000," and inserting in place thereof the following figures "$1,550,000".

The amendment was *rejected*.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 7002-1510, by inserting at the end thereof the following words:- "; provided further, that not less than $75,000 shall be expended on the administration of economic

development projects in the town of Dedham"; and by striking out the figures "$1,500,000," and inserting in place thereof the following figures "$1,575,000".
The amendment was *rejected*.
Mr. Rush moved that the proposed new text be amended in section 2A, in item 7002-1510, by inserting at the end thereof the following words:- "; provided further that not less than $50,000 shall be expended to conduct a feasibility study on the potential economic development use of properties in Islington Village in the town of Westwood"; and by striking out the figures "$1,500,000," and inserting in place thereof the following figures "$1,550,000".
The amendment was *rejected*.
Messrs. Rodrigues, Michael O. Moore and Tarr, Ms. Lovely and Mr. Montigny moved that the proposed new text be amended by inserting the following section:-
"SECTION __. Chapter 20 of the General Laws is hereby amended by striking out section 1, as appearing in the 2012 Official Edition, and inserting in place thereof the following section:-
Section 1. There shall be a department of agricultural resources under the supervision and control of a board of agriculture, hereinafter called the board. The board shall consist of 13 members, to be appointed by the governor, who shall be from diverse geographic regions of the commonwealth and shall represent diverse agricultural operations within the commonwealth.
At least 9 members of the board shall be farmers whose principal vocation is the production of food and fiber. Members shall be appointed for a term of 3 years, with no member serving more than 2 consecutive terms.
The board shall meet not less than 6 times a year or at the call of the chairman and at such times as shall be determined by its rules or at the request of the commissioner or the call of any 3 members. The chairman shall be annually appointed by a majority of said board present and voting thereon. Board members shall receive $50 for each day or portion thereof spent in the discharge of their official duties not to exceed $600 per year and shall be reimbursed for the travel to and from official board meetings and other expenses necessary to conduct such meetings.
There shall be a commissioner of agricultural resources who shall be appointed and may be removed by the secretary of environmental affairs with the approval of the governor. Said commissioner shall have charge of the administration of the department. The department may expend for traveling expenses of its employees incurred in the performance of their official duties and for other necessary expenses of the department, such sums as may be appropriated."
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 39 − nays 0) **[Yeas and Nays No. 381]:**

YEAS.

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

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

NAYS − 0.

The yeas and nays having been completed at twenty-one minutes before three o'clock P.M., the amendment was adopted.
Mr. Brownsberger moved that the proposed new text be amended by inserting the following new section:-
"SECTION XX. Chapter 223 of the Acts of 2012 is amended in Section 10 by striking out '2014' and inserting in place thereof '2016' each time '2014' appears in that section."
After remarks, the amendment was adopted.
Ms. Lovely, Messrs. McGee and Tarr moved that the proposed new text be amended in section 2A, in item 7002-1504, by adding at the end thereof the following: "provided further, that not less than $100,000 shall be expended for North Shore Innoventures in the city of Beverly;"; and by striking out the figures "$2,000,000" and inserting in place thereof the figures "$2,100,000".
After remarks, the amendment was *rejected*.
Ms. Lovely and Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following: "provided further, that $300,000 shall be expended for a grant to Salem State University Enterprise Center to develop a strategy for regional economic development and conduct a feasibility study to construct a North Shore Convention, Business, and Visitor Center to be conducted by the Center of Economic Development and Sustainability at Salem State University. The Center shall submit their final report to the House and Senate Ways & Means Committees and the Joint Committee on Economic Development and Emerging Technologies no later than January 1, 2016;"; and by striking out the figures "$1,500,000" and inserting in place thereof the figures "$1,800,000".
The amendment was *rejected*.
Ms. Lovely and Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1510 by adding at the end thereof the following: "provided further, that not less than $125,000 shall be expended for a study to be conducted by the Seaport Advisory Council to recommend a plan to provide water transportation alternatives to enable water transportation options in and out of the Boston Convention and Exposition Center to various seaport districts;"; and by striking out the figures "$1,500,000" and inserting in place thereof the figures "$1,625,000".
The amendment was adopted.
Ms. Lovely and Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following: "provided further, that not less than $5,000,000 shall be expended to support the use of the commonwealth's waterways to promote economic development and waterborne transportation for attendees at the Boston Convention Center by expanding passenger ferry service operations in the seaport district in the city of Boston to the port areas of Lynn, Salem, Quincy, Plymouth, and Hingham in the interest of tourism and reducing motor vehicle usage in areas of high traffic volume;"; and by striking out the figures "$1,500,000" and inserting in place thereof the figures "$6,500,000".
The amendment was *rejected*.
Mr. McGee moved that the proposed new text be amended by inserting after section ____, the following new section:-

"SECTION ___. Section 1 of chapter 40V of the General Laws, as appearing in the 2012 Official Edition, is hereby further amended by striking out the text in lines 31-34 and inserting in place thereof the following:- Substantial rehabilitation and substantially rehabilitated, the needed major redevelopment, repair and new construction, excluding the purchase of the property, as determined by the department of housing and community development."

The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended by inserting after section _, the following new sections:-

"SECTION XX. Section 2 of chapter 118 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end of the first paragraph the following:-- Child support collections shall be paid to a recipient of benefits under this chapter to the extent that the federal government will waive or not have a claim to a federal share of such collections pursuant to 42 U.S.C. section 657. Any amounts paid to the family under this provision shall be disregarded in determining the amount of assistance provided to the family.

SECTION XX. Section 2 of chapter 119A of the General Laws, as so appearing, is hereby amended by inserting at the end of subsection (b) the following:- Pursuant to Title IV, Part D of the Social Security Act, in the case of former recipients of assistance, the IV-D agency shall pay to the family all support payments collected, including payments on arrears assigned to the state and payments collected through federal tax refund offset.

SECTION XX. Sections 1 and 2 shall take effect on July 1, 2015."

The amendment was *rejected*.

Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, in item 7002-1510, in line 105, by adding at the end thereof the following: "provided further, that no more than $50,000 shall be provided for Destination Worcester, to assist in their efforts to recruit athletic events to the greater Worcester community".

The amendment was *rejected*.

Mr. Rosenberg in the Chair, Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended by inserting after section ___, the following new sections:-

"SECTION ___. Section 2 of Chapter 422 of the Acts of 2006 is hereby amended by deleting '$30,000,000' in line 13, and inserting in lieu thereof, '$60,000,000'.

SECTION ___. Section 2 of Chapter 422 of the Acts of 2006 is hereby amended by inserting after the word 'act' in line 14, the following provision: - 'provided, however, that prior to the issuance of any funds pursuant to a loan order adopted under the authority of this act, the city manager, and the city treasurer and collector of taxes, shall file a report with the city council stating that revenues expected to be delivered by the city pursuant to Section 3(a) of this act'.

SECTION ___. Section 3(b) of Chapter 422 of the Acts 2006 is hereby amended by inserting after '44' in line 67, the following: - 'plus the approximate 0.90 acre parcel located at 65 Prescott Street, plus the approximate 0.24 acre parcel of land at 205 Summer Street, plus the approximate 1.09 acre parcels located at 212 Summer Street, plus the approximate 0.92 acre parcel shown as Area of Washington Square To Be Discontinued, on a plan of land prepared by BSC Group, Inc., titled Discontinuance Of A Portion Of Washington Square, dated June 6, 2013, to be recorded in the Worcester district registry of deeds, plus the approximate 4.28 acre parcel located at 2 Main Street, plus the approximate 2.42 acre parcel located at 1 Lincoln Square, plus, but only for the purpose of the receipts identified by section 3(a)(iii) of this act, the approximate 1.33 acre parcel of land consisting of parcels P-1, P-2, and O-1, on a plan of land prepared by Nitsch Engineering, titled Approval Not Required Plan, date November 29, 2012, to be recorded in the Worcester district registry of deeds'."

The amendment was *rejected*.

Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, by inserting after item 7008-1015, after line 146, the following new item:-

"7008-xxxxx For the office of travel and tourism to provide funds for the city of Worcester for the completion of the final phase of the Worcester DCU Center expansion project; provided, however, the provisions of sections 26 to 27F, inclusive, and section 29 of chapter 149 of the General Laws shall apply to the contract between the City of Worcester and the construction manager and or general contractor and all trade contracts awarded in undertaking the Worcester DCU Center expansion project; provided further, all construction employees employed in the construction of the Worcester DCU Center expansion project shall be paid no less than the wage rate established for such work pursuant to a project labor agreement with the appropriate labor organization or labor organizations, which shall include a uniform grievance and arbitration procedure for the resolution of work-related disputes on job sites, mutually agreeable uniform work rules and schedules for the project, and an obligation for any labor organization and its constituent members contracted to work on the Worcester DCU Center expansion project not to strike with respect to work on such project; provided further, that it shall not be a precondition to the award of a contract for the undertaking of the Worcester DCU Center expansion project that a bidder have previously entered into a collective bargaining agreement with a labor organization, but only that the bidder shall execute and comply with said project labor agreement for the Worcester DCU Center expansion project if it is awarded a contract; provided further, in undertaking the Worcester DCU Center expansion project the city shall adhere to the rules and regulations set forth in the City of Worcester Responsible Employer Ordinance as amended June 24, 2008 and shall adopt contractor participation goals that provide for the meaningful participation of minority business enterprises and women business enterprises as construction contractors; provided further, that said participation goals shall be equal to the combined participation goals for minority business enterprises, service-disabled veteran-owned small business enterprises, and women business enterprises on public building projects as established by the division of capital asset management and maintenance pursuant to section 6 of chapter 7C of the General laws and in effect on January 1, 2013; and provided further, in undertaking the Worcester DCU Center expansion project the City of Worcester shall develop and implement a program that provides training in construction-related trades to minority persons and

women…………………………………………$15,000,000".
The amendment was *rejected*.
Ms. Chandler moved that the proposed new text be amended in section 2A, in item 7002-1510, in line 105 by adding at the end thereof the following: "provided further, that not less than $150,000 shall be expended for the establishment of a business incubator in the town of Northborough".
The amendment was *rejected*.
Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in item 2A, by inserting after item 7007-1202, the following item:
"7007-xxxx For a grant to the Massachusetts Digital Games Institute, hereinafter referred to as MassDiGI; provided, that $650,000 shall be expended for the renovation of MassDiGI facilities at Becker College; provided further, that $100,000 shall be expended on mentoring programs; provided further, that $100,000 shall be expended on the summer internship program; provided further, that $50,000 shall be expended on entrepreneurship programs and activities; and provided further that $100,00 shall be expended to increase MassDiGI's technical capabilities …………………………………………$1,000,000".
The amendment was *rejected*.
Ms. Chandler moved that the proposed new text be amended in section 2A, in item 7002-1510, in line 105, by adding at the end thereof the following: "provided further, that not less than $50,000 be provided for the development of a cultural walking district in the town of Clinton to facilitate the preservation of historic and cultural areas and to encourage development in the historic downtown area".
The amendment was *rejected*.
Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, after line 7002-1512, the following new item:- "7002-xxxx For improvements, repairs, maintenance, construction and renovation of public buildings and infrastructure in the downtown area of the city of Worcester…………………………………………;$3,000,000".
The amendment was *rejected*.
Mr. Welch moved that the proposed new text be amended by adding at the end thereof the follwing new section: -
"SECTION XX. Notwithstanding any general or special laws to the contrary, there shall be a special commission on young professionals established to examine how the Commonwealth can better engage, involve and educate young professionals in decisions and policies that affect them and the Commonwealth. The commission will examine best practices and policies to retain and attract intellectual capital that will make Massachusetts a place where young professionals want to live, work and play.
The commission shall consist of 21 members, 1 of whom shall be appointed by the Governor, 1 of whom shall be the secretary of housing and economic development or a designee, 1 of whom shall be the secretary of labor and workforce development or a designee, 1 of whom shall be the secretary of education or a designee, 3 of whom shall be appointed by the President of the Senate 1 of which from the minority party, 3 of whom shall be appointed by the Speaker of the House 1 of which from the minority party, 1 of whom shall be the chair of the Berkshire Young Professionals or a designee, 1 of whom shall be the president of the Worcester Young Businessmen's Association or a designee, 1 of whom shall be the president of the Greater Lawrence Young Professionals Network or a designee, 1 of whom shall be the president of the Young Professionals Society of Greater Springfield or a designee, 1 of whom shall be the president of the Northampton Area Young Professionals or a designee, 1 of whom shall be the president of ONEinThree Boston or a designee, 1 of whom shall be the president of the Young Professionals of Greater Lowell or a designee, 1 of whom shall be the president of the North of Boston Young Professionals or a designee, 1 of whom shall be appointed by the Executive Director of the New Bedford Economic Development Council, 1 of whom shall be appointed by the President of the MetroWest Chamber of Commerce, 1 of whom shall be the Executive Director of the Cape Cod Young Professionals or a designee."
The amendment was adopted.
Ms. Chandler and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, in item 7002-1510, in line 105, by adding at the end thereof the following: "provided further, that not less than $75,000 shall be expended for the development, outreach and coordination of employer partnerships in the city of Worcester"; and by striking out the figures "$1,500,000" and inserting in place thereof the figures "$1,575,000".
The amendment was adopted.
Ms. Jehlen and Mr. DiDomenico moved that the proposed new text be amended in section 2A, by inserting after the item 7100-0802 the following item:
"7516-0100 For the Middlesex Community College for an ex-offender employment re-entry program run through the One Stop Career Centers………………………………………… $175,000".
The amendment was *rejected*.
Mr. Rodrigues moved that the proposed new text be amended in section 2A, in item 7002-1510 by adding at the end thereof the following words:- "provided further, that not less than $50,000 shall be expended to conduct a feasibility study on the potential for converting, redeveloping or otherwise improving unused or underutilized public and private property in the City of Fall River;".
The amendment was *rejected*.
Mr. Rodrigues moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following words:- "provided further, that not less than $125,000 shall be expended to promote and develop livestock processing facilities that utilize locally-raised animals;".
The amendment was *rejected*.
Mr. Kennedy moved that the proposed new text be amended by inserting after section ___, the following new section: -

"SECTION __. $300,000 shall be expended for the design and construction of the expansion of the Brockton Council on Aging Senior Center in Brockton."
The amendment was *rejected*.
Mr. Kennedy moved that the proposed new text be amended by inserting after section _, the following new section: -
"SECTION __. $1,200,000 shall be expended for the design and reconstruction of the Halifax Council of Aging Building in Halifax."
The amendment was *rejected*.
Mr. Kennedy moved that the proposed new text be amended in section 2, by inserting after item 7002-1506, the following item:-
"xxxx-xxxx For grants for the study and implementation of parking management plans in municipalities that, due to residential, commercial or industrial development, require the development of demand-based parking to meet the needs of visitors to the municipality whether they be employees, customers of businesses or tourists; provided, that municipalities that demonstrate an average daily visitor population or at least 30,000 shall be given priority grants up to $100,000. The grants shall be administered by the executive office of housing and economic development, in consultation with the department of transportation……………………………………………$1,000,000.00".
The amendment was *rejected*.
Messrs. Rodrigues, Tarr, Michael O. Moore, Humason and Joyce moved that the proposed new text be amended by inserting the following two sections:-
“SECTION __. Section 6 of chapter 62 of the General Laws is hereby amended by adding the following subsection:-
(s) (1) A taxpayer primarily engaged in agriculture or farming, as defined in section 1A of chapter 128, on land zoned according to the first paragraph of section 3 of chapter 40A, or in commercial fishing, which shall include only those landing a minimum of 5,000 pounds of fish per year and possessing either a state or federal fishing permit, shall be allowed a credit as provided in this paragraph against the tax liability imposed by this chapter. The amount of the credit shall be 3 per cent of the cost or other basis for federal income tax purposes of qualifying property acquired, constructed, reconstructed, or erected during the taxable year, after deduction therefrom of any federally authorized tax credit taken with respect to that property. Qualifying property shall be tangible personal property and other tangible property, including buildings and structural components of buildings: (i) acquired by purchase, as defined under 26 U.S.C. section 179(d), as amended and in effect for the taxable year; (ii) used solely in agriculture, farming or fishing; (iii) not taxable under chapter 60A; (iv) used by the taxpayer in the commonwealth; (v) situated in the commonwealth on the last day of the taxable year; and (vi) depreciable under 26 U.S.C. section 167 and with a useful life of 4 years or more.
(2) A taxpayer primarily engaged in agriculture or farming, as defined in section 1A of chapter 128, on land zoned according to the first paragraph of section 3 of chapter 40A, or in commercial fishing, which shall include only those landing a minimum of 5,000 pounds of fish per year and possessing either a state or federal fishing permit, shall be allowed a credit as provided in this paragraph against the tax liability imposed by this chapter. The amount of the credit shall be 3 per cent of the lessor's adjusted basis in qualifying property for federal income tax purposes at the beginning of the lease term, multiplied by a fraction, the numerator of which shall be the number of days of the taxable year during which the lessee leases the qualifying property and the denominator of which shall be the number of days in the useful life of the property. The useful life shall be the same as that used by the lessor for depreciation purposes when computing federal income tax liability. An operating lease shall be any contract or agreement to lease or rent or for a license to use qualifying property. Qualifying property shall be tangible personal property and other personal property, including buildings and structural components of buildings: (i) leased, and not a purchase as defined under 26 U.S.C. section 179(d), as amended and in effect for the taxable year, (ii) used solely in agriculture, farming or fishing, (iii) not taxable under chapter 60A, (iv) used by the lessee in the commonwealth, (v) situated in the commonwealth throughout the entire lease term, and (vi) depreciable by the lessor under 26 U.S.C. section 167 and with a useful life of 4 years or more. The credit shall not be available to a lessee if the lessor has previously received a credit with respect to the leased tangible personal property.
(3) The commissioner shall by regulation require documentation of the lessor and lessee as to substantiate a credit claimed under paragraph (2).
(4) A taxpayer shall not be allowed a credit under paragraphs (1) or (2) with respect to tangible personal property and other tangible property, including buildings and structural components of buildings, which it leases as a lessor. For the purposes of the preceding sentence, any contract or agreement to lease or rent or for a license to use such property shall be considered a lease. This paragraph shall not apply to equine-based businesses where care and boarding of horses is a function of the agricultural activity.
(5) With respect to property which is disposed of or ceases to be in qualified use prior to the end of the taxable year in which the credit is to be taken, the amount of the credit shall be that portion of the credit provided for in paragraphs (1) or (2) which represents the ratio which the months of qualified use bear to the months of useful life. If property on which credit has been taken is disposed of or ceases to be in qualified use prior to the end of its useful life, the difference between the credit taken and the credit allowed for actual use must be added back as additional taxes due in the year of disposition; provided, however, if such property is disposed of or ceases to be in qualified use after it has been in qualified use for more than 12 consecutive years, it shall not be necessary to add back the credit, as provided in this subsection. The amount of credit allowed for actual use shall be determined by multiplying the original credit by the ratio which the months of qualified use bear to the months of useful life. For the purposes of this subsection, useful life of property shall be the same as that used by the individual for depreciation purposes.
(6) A taxpayer entitled to a credit for any taxable year in accordance with paragraphs (1) to (5), inclusive, may carry over and apply to its tax liability imposed by this chapter for any 1 or more of the next succeeding 3 taxable years, the portion, as reduced

from year to year, of its credit which exceeds its tax liability imposed by this chapter for the taxable year.
SECTION__. Section__ shall be effective for tax years beginning on or after January 1, 2015."
After remarks, 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. Rodrigues, as follows, to wit (yeas 39 − nays 0) **[Yeas and Nays No. 382]:**

YEAS.

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

NAYS − 0.

The yeas and nays having been completed at ten minutes past three o'clock P.M., the amendment was adopted.
Messrs. Timilty, Tarr, Michael O. Moore, Ross and Humason moved that the proposed new text be amended by inserting after section 79, the following new section:-
"SECTION X. (a) Notwithstanding any general or special law to the contrary, for the days of August 9, 2014 and August 10, 2014, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
(b) Notwithstanding any general or special law to the contrary, for the days of August 9, 2014 and August 10, 2014, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 9, 2014 and August 10, 2014. An excise erroneously or improperly collected during the days of August 9, 2014 and August 10, 2014, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
(c) Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 9, 2014 and August 10, 2014.
(d) On or before December 31, 2014, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.
(e) The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.
(f) Eligible sales at retail of tangible personal property under sections 1 and 2 are restricted to those transactions occurring on August 9, 2014 and August 10, 2014. Transfer of possession of or payment in full for the property shall occur on 1 of those days, and prior sales or layaway sales shall be ineligible."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-two minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 31 − nays 8) **[Yeas and Nays No. 383]:**

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.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Petruccelli, Anthony

Downing, Benjamin B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Joyce, Brian A.	Timilty, James E.
Keenan, John F.	Welch, James T. − **31.**
Kennedy, Thomas P.	

NAYS.

Chang-Diaz, Sonia	Jehlen, Patricia D.
Creem, Cynthia Stone	Lewis, Jason M.
Eldridge, James B.	Rodrigues, Michael J.
Hedlund, Robert L.	Wolf, Daniel A. − **8.**

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

Messrs. Timilty and Michael O. Moore moved that the proposed new text be amended by inserting after section 79, the following new section:-

"SECTION X. The Massachusetts sports partnership shall issue a report no later than July 1, 2015, on the feasibility of hosting a national association for stock car auto racing event in the commonwealth. The report shall include, but not be limited to, potential host venues, the potential costs and revenues for the commonwealth, and any state or local laws, regulations, or ordinances that may affect the hosting of such an event."

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 2A, item 7002-1506 by adding at the end thereof the following words:- "provided further, that not less than $500,000 shall be expended for transformative technology infrastructure upgrades at the Fall River Industrial Park;".

The amendment was *rejected*.

Messrs. Rodrigues and Montigny moved that the proposed new text be amended in section 2A, in item 7002-1510 by adding at the end thereof the following words:- "provided further, that not less than $100,000 shall be expended, in conjunction with Bristol Community College, to conduct a study on the causes of chronically high levels of unemployment and poverty and chronically low levels of educational attainment within the cities of Fall River and New Bedford and develop a comprehensive strategy to address these issues".

The amendment was *rejected*.

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

"SECTION__. Chapter 64H of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting, after section 6, the following:-

Section 6A. The commissioner of revenue shall annually designate, by July 15 of each calendar year, a two-day weekend in August during which no excise shall be imposed upon non-business sales at retail in the commonwealth of tangible personal property, as defined in section 1 of this chapter, but for the purposes of this section, tangible personal property shall not include telecommunications, gas, steam, electricity, motor vehicles, boats, meals, or any single item whose price is in excess of $2,500. For the days designated by the commissioner pursuant to the provisions of this section, a vendor in the commonwealth shall not add to the sales price or collect from any non-business purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of this chapter. The commissioner of revenue shall not require any vendor to collect and pay excise upon sales at retail of tangible personal property purchased on said designated days. Any excise erroneously or improperly collected during the designated days shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals, or any single item whose price is in excess of $2,500.

When choosing the designated days, the commissioner shall take into consideration the observance of any religious and secular days of observation occurring therein; provided further, that the commissioner shall designate such days so as to maximize the economic benefit to the commonwealth.

Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days designated by the commissioner.

On or before December 31 of each year, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, because of this act. The commissioner shall issue a report, detailing by fund the amounts under general and special laws governing the distribution of revenues under this chapter which would have been deposited in each fund, without this act.

The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act."

The amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended section 2A, by inserting after item 7002-1506 the following item- "xxxx-xxxx For the Town of Easton, $35,000 to be expended for planning and legal services to create a sewer district in the Town of Easton that would encompass a commercially zoned area, in conformance with the state approved Comprehensive Wastewater Management Plan, along routes 138 and 123 from the Brockton line to Depot Street in the Town of Easton."

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting in section 67, after the word "wastewater" in line 1327, the following words:- "and wastewater pretreatment".

The amendment was adopted.

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

"SECTION__. Section 5 of Chapter 90 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding at the end thereof the following subsections:

(i) Notwithstanding any general or specific law to the contrary, the registrar shall not increase any individual fee by more than 2.5% in a calendar year.

(j) The registrar shall offer a discount for any person registering 5 or more units in a calendar year. For the purposes of this section, a unit shall include: any vehicle subject to a commercial normal, commercial reserved, commercial, vanity, snow removal, hearse, limited use, auto home normal, auto home reserved, auto home vanity, bus normal, bus reserved, bus vanity, livery normal, livery limited use, livery reserved, livery vanity, semi trailer normal, semi trailer reserved, trailer normal, trailer reserved, taxi normal, taxi limited used, taxi reserved, or van pool normal registration. This discount shall be in an amount of no less than 10% of each registration fee they would otherwise incur.

(k) The registrar shall issue a report to the legislature within 90 days of the acceptance of this act. This report shall offer recommendations to reduce the cost of operating a commercial vehicle or unit in Massachusetts in order to promote competition with neighboring states. This report shall be submitted to the chairs of the Joint Committee on Transportation."

The amendment was *rejected*.

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

"SECTION__. Section 67D of chapter 62C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (g) the following new sections:-

(h) when used in section (i)-(n), the following words shall have the following meaning:

'Application year', the calendar year for which a business submits the information required for a determination as to a jobs incentive credit.

'Business', a corporation, sole proprietorship, partnership, limited liability company or any other form of business organization.

'Commissioner', the commissioner of revenue.

'Eligible Jobs', a number determined by first multiplying each of the local jobs created by a business during a single calendar year by the job qualifier for that job, and then totaling the number for all of the local jobs created.

'Full time employee', a person who is employed for consideration for at least 35 hours per week and whose salary is subject to withholding as provided in chapter 62B.

'Job qualifier fraction', in the case of either a full-time employee or a part-time employee of a business, the figure that determines the extent to which that employee is employed in the commonwealth during a single calendar year. The job qualifier fraction for each employer shall be determined by multiplying the following percentages together: (i) the percentage of time that an employee worked while employed by the company expressed as average hours worked per week out of 35 hours, not to exceed 100 per cent; (ii) that employee's time attributable to work in the commonwealth, as a portion of that employee's total work for the company; and (iii) the portion of the year the employee worked for the company.

'Jobs incentive credit', a business employment incentive credit for companies as provided for in this section.

‘Local jobs created’, the total number of jobs created by a business during a single calendar year in which the new employees perform qualified services in at least 1 in-state location, including jobs performed by persons that are transferred within the company to work at an in-state location from a location based outside the state.
‘Part-time employee’, a person who is employed for consideration for less than 35 hours a week and whose salary is subject to withholding as provided in chapter 62B.
‘Credit years’, in the case of a business that is determined to be eligible for a jobs incentive credit, the 3 calendar years following the application year.
‘Weighted, average employment’, for a calendar year, the total number of jobs maintained by a business in which the employees performed employment services in at least 1 in-state location. The number is to be determined by first multiplying each of the individual jobs maintained by the company for that year by the job qualifier fraction for that job and then totaling the number for all of these jobs.
(i) A business that creates an eligible job in the commonwealth during its application year shall be entitled to a jobs incentive credit, spread equally over three calendar years, if its weighted average employment for such application year reflects a net increase over the company’s weighted average employment for the prior calendar year. The total jobs incentive credit shall be equal to 50 per cent of the amount paid by the company as salary attributable to eligible jobs created by the company in such year to the extent that the salary was subject to Massachusetts withholding pursuant to chapter 62B for such year, multiplied by the applicable Massachusetts income tax rate for such salary, and such credit shall be applied toward the company’s liability imposed by Chapter 62B, Section 2. A company shall take a jobs incentive credit for no more than 50 jobs created over its weighted average employment for the prior calendar year. For companies creating greater than 50 jobs over the weighted average employment for the prior calendar year, the total tax credit, which will be taken in three equal installments subject to the terms and conditions in the following sections, shall be determined by the salary of the first 50 eligible jobs created. For the purposes of this provision, an eligible job shall be deemed created in the commonwealth on the first day for which Massachusetts withholding is required in connection with the compensation paid to the employee.
(j) The jobs incentive credit shall be taken by a business in 3 equal installments in each of the 3 calendar years commencing with the calendar year subsequent to the application year. If, for the first or second credit year, the company’s weighted average employment falls below its weighted average for the application year, the company shall be disqualified from taking its second installment credit. It may nonetheless take its third installment credit if its weighted average employment for its second credit year is above its weighted average employment for the application year.
(k) A company that seeks a jobs incentive credit shall apply to the commissioner to receive permission to take such a credit on a form prescribed by the commissioner. This form shall reference the necessary information concerning the eligible jobs created by the company in the Commonwealth during the application year and also the company’s weighted average employment for such year and the prior calendar year. The commissioner shall advise the company of the determination in writing.
(l) Not later than March 1 of each calendar year for which a company has been approved to take a job incentives credit, the company shall submit to the commissioner, in a form prescribed by the commissioner, the information necessary to evaluate the company’s prior year weighted employment average.
(m) A company that has previously been approved to take a job incentive credit is entitled to re-apply for an additional credit for a second or third application year. In such cases, the company may be entitled to take a job incentive credit that relates to different application years in the same calendar year. When a company has previously been granted permission to take a jobs incentive credit for 3 application years, it shall not request an additional jobs incentive credit. In no case shall a company take a jobs incentive credit after June 30, 2016, when all provisions in (i)-(m) shall sunset and no longer be in effect.
(n) Following the termination of the job creation tax credit program, the commissioner of the department of revenue, in consultation with one or more institutes of higher learning, shall conduct a cost benefit analysis of said program, which shall take into consideration the total number of permanent in-state jobs created under the program, the total amount of tax credits provided, and any other factors that would be useful in measuring the success of the program. The commissioner shall prepare a report on the findings, which shall be filed with the clerk of the house of representatives and the clerk of the senate, the chairs of the house and senate committees on ways and means, and the house and senate chairs of the joint committee on revenue no later than September 30, 2016. Said report shall include the commissioner’s findings as to the feasibility of extending the job creation tax credit program beyond the sunset date, along with any recommendations for revising the program to make it more effective in enhancing the creation of jobs.”
The amendment was *rejected*.
Ms. Spilka, Messrs. DiDomenico and Rosenberg moved that the proposed new text be amended in section 2A by inserting after item 7007-1202 the following item:-
“7007-1641 For a grant for the Small Business Association of New England for the layoff aversion through management assistance program for consultant and technical assistance to manufacturing companies to prevent business closure and employee displacement; provided, that the expenditure of the layoff aversion through management program in this item shall leverage at least $1 in matching funds for every $1 granted pursuant to this item; provided further, that the president of the Small Business Association of New England shall file a quarterly report with the house and senate committees on ways and means, the joint committee on economic development and emerging technologies and the joint committee on labor and workforce development on the number of employees and manufacturing-based companies that have received financial assistance through this item, a detailed description of the services provided to manufacturing companies through the layoff aversion through management program and a detailed account of the expenditures of the layoff aversion through management program, including administrative costs……………………$250,000".

The amendment was adopted.
Ms. Spilka moved that the proposed new text be amended by inserting at the end thereof following sections:-
“SECTION XX: Chapter 15 of the General Laws as appearing in the 2010 Official Edition is hereby amended by adding at the end thereof the following new section:
Section 67B. Office of Dual Language Educational Programs.
There shall be within the department of elementary and secondary education an office of dual language educational programs, hereinafter referred to as the office. The office shall promote and provide technical assistance to dual language educational programs in the commonwealth.
The office shall be under the direction and supervision of a director who shall be appointed by the Secretary of Education. The director shall coordinate with the Executive Office of Housing and Economic Development and the Executive Office of Labor and Workforce Development to identify those languages most useful in the industries and markets that contribute to economic vitality in the commonwealth and jointly market Massachusetts students as prepared to participate in a global economy.
The office shall recruit qualified dual language instructors for programs in the state, and shall be responsible for providing annual professional development programming for all dual language educational instructors in the commonwealth and for educators who aspire to teach in dual language programs and schools. Subject to appropriations, the office may provide grants to school districts that operate a dual language educational program in the commonwealth. The office shall facilitate relationships with representatives of foreign governments in order to encourage student exchanges between the two countries. The goal of the office’s activities shall be the promotion of dual language educational programs in the commonwealth.
The office shall annually compile a report of best practices from the dual language educational programs throughout the commonwealth and other states, distinguishing between the types of dual language educational programs, and distribute the compiled list to all dual language educational programs in the commonwealth.
The office shall annually transmit a report on dual language educational programs in the commonwealth to the House and Senates Ways and Means Committees. The study shall include, but not be limited to, an analysis, appraisal, evaluation and listing of all dual language educational programs in the commonwealth. Such report shall document, with quantitative data, the outcomes of each of the programs. The report should include best practices compiled by the office, as well as recommendations on how to best improve the dual language educational programs.
SECTION XX: Chapter 69 of the General Laws as appearing in the 2010 Official Edition is hereby amended by adding after Section 1N the following new section:
Section 1O. The board shall establish the State Seal of Bi-literacy to recognize high school graduates who have attained a high level of proficiency in speaking, reading, and writing in one or more languages in addition to English. The Secretary of Education shall be responsible for preparing and delivering to participating school districts the seal insignia. Participating school districts shall be required to maintain records in order to identify pupils who have earned a State Seal of Bi-literacy and to affix an appropriate insignia to the diploma or transcript of pupils who earn a State Seal of Bi-literacy. These Seals would also be available electronically. School district participation in this program is voluntary.
The purposes of the State Seal of Bi-literacy are as follows: (1) To encourage pupils to study languages; (2) To certify attainment of bi-literacy; (3) To provide employers with a method of identifying people with language and bi-literacy skills; (4) To provide universities with a method to recognize and give academic credit to applicants seeking admission; (5) To prepare pupils with 21st century skills; (6) To recognize and promote foreign language instruction in public schools; (7)To strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.
The State Seal of Bi-literacy certifies attainment of a high level of proficiency by a graduating high school pupil in one or more languages, in addition to English, and certifies that the graduate meets all of the following criteria:
a) Completion of all English language arts requirements for graduation with an overall grade point average of 2.0 or above in those classes.
b) Passing the Massachusetts Comprehensive Assessment System Test in English language arts administered in grade 10 at the proficient level or above.
c) Proficiency in one or more languages other than English, demonstrated through one of the following methods:
(1) Passing a foreign language Advanced Placement examination with a score of 3 or higher or an International Baccalaureate examination with a score of 4 or higher.
(2) Successful completion of a four-year high school course of study in a foreign language, and attaining an overall grade point average of 3.0 or above in that course of study.
(3) Passing the SAT II foreign language examination with a score of 600 or higher.
For purposes of this article, ‘foreign language’ means a language other than English, and includes American Sign Language.
The Secretary of Education shall be responsible for: preparing and delivering to participating school districts an appropriate insignia to be affixed to the diploma or transcript of the pupil indicating that the pupil has been awarded a State Seal of Bi-literacy by the Superintendent; providing other information it deems necessary for school districts to successfully participate in the program.
A school district that participates in the program under this article shall maintain appropriate records in order to identify pupils who have earned a State Seal of Bi-literacy and affix the appropriate insignia to the diploma or transcript of each pupil who earns a State Seal of Biliteracy.”
The amendment was *rejected*.
Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof following sections:-

"SECTION XX. Chapter 6A of the General Laws as appearing in the 2010 official edition is hereby amended by inserting after section 7A the following new section:
Section 7B. Each secretary may, without regard to chapter 31, appoint an entrepreneur-in-residence to provide services to the executive office for a period not to exceed 2 years. An entrepreneur in residence shall be a full-time employee of the executive office and shall report directly to the secretary. The duties of an entrepreneur-in-residence shall include, but are not limited to, assisting the executive office and agencies in improving outreach to small business and entrepreneurs to address their concerns and provide information regarding the work of the executive office and agencies; provide recommendations on inefficient or duplicative programs, if any; provide recommendations on methods to improve program efficiency and new initiatives; facilitate meetings and forums to educate the executive office and agencies about small business needs and concerns and to educate entrepreneurs on programs or initiatives of the executive office and the agencies; facilitate in-service training sessions for employees of the executive office and agencies on issues related to the impact of the work of the executive office and agencies on the success of entrepreneurs and small businesses; provide technical assistance or mentorship to small businesses and entrepreneurs.
A person appointed to the position of entrepreneurs-in-residence shall be recognized by their industry peers as successful in their field; have demonstrated success in working with small businesses and entrepreneurs; and have developed, invented, or created a product and brought the product to the marketplace.
SECTION XX. Chapter 7 of the General Laws as appearing in the 2010 Official Edition, is hereby amended by adding after section 4R the following new section:
Section 4S. The secretary may convene a working group of the entrepreneurs-in-residence appointed under section 7B of chapter 6A to discuss best practices, experiences, obstacles, and opportunities in each of the executive offices where the entrepreneurs in residence serve, and to make recommendations for collaboration among the executive offices in order to improve programs and initiatives which impact small businesses."
The amendment was *rejected*.
Ms. Spilka moved that the proposed new text be amended by inserting at the end thereof following sections:-
"SECTION XX. Section 38 of chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by deleting subsection (c) and replacing it with the following new subsection:-
(c) If a corporation, other than a defense corporation as described in subsection (k), a manufacturing corporation as described in subsection (l), a mutual fund service corporation to the extent of its mutual fund sales as described in subsection (m), a retail corporation as described in subsection (o), or a wholesale corporation as described in subsection (p), has income from business activity which is taxable both within and without this commonwealth, its taxable net income, as determined under the provisions of subsection (a), shall be apportioned to this Commonwealth by multiplying said taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus twice times the sales factor, and the denominator of which is four.
SECTION XX. Section 38 of Chapter 63 of the General Laws, as so appearing, is hereby further amended by inserting the following new subsection:-
(o)(1) As used in this section, the following words shall, unless the context otherwise requires, have the following meaning:
'Retail corporation', a domestic or foreign corporation primarily engaged in activities that, in accordance with the North American Industry Classification System (NAICS), United States Manual, United States Office of Management and Budget, 1997 Edition, would be included in Sectors 44-45.
(2) If a retail corporation, as defined in paragraph (o), has income from business activity which is taxable both within and without this commonwealth, its taxable net income, determined under the provisions of subsection (a), shall not be apportioned pursuant to the percentage that results from the three-factor formula set forth in subsection (c) but, instead, shall be apportioned accordingly:
(i) For tax years beginning on or after January 1, 2015, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus triple the sales factor and the denominator of which is five, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus two;
(ii) For tax years beginning on or after January 1, 2016, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus quadruple the sales factor and the denominator of which is six, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus three;
(iii) For tax years beginning on or after January 1, 2017, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus quintuple the sales factor and the denominator of which is seven, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus four; and
(iv) For tax years beginning on or after January 1, 2018, and thereafter, by multiplying such taxable net income by one hundred percent of the sales factor.
(3) For purposes of the application of Section 32B of chapter 63 of the General Laws, each member of a combined group will be considered to be a 'retail corporation' under this Section if fifty-percent or more of the combined group's non-intercompany receipts are derived from sales at retail.

SECTION 2. Section 38 of Chapter 63 of the General Laws, as so appearing, is hereby further amended by inserting the following new subsection:-
(p)(1) As used in this section, the following words shall, unless the context otherwise requires, have the following meaning: 'Wholesale corporation', a domestic or foreign corporation primarily engaged in activities that, in accordance with the North American Industry Classification System (NAICS), United States Manual, United States Office of Management and Budget, 1997 Edition, would be included in Sectors 42.
(2) If a Wholesale corporation, as defined in paragraph (p), has income from business activity which is taxable both within and without this commonwealth, its taxable net income, determined under the provisions of subsection (a), shall not be apportioned pursuant to the percentage that results from the three-factor formula set forth in subsection (c), but instead, shall be apportioned accordingly:
(i) For tax years beginning on or after January 1, 2015, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus triple the sales factor and the denominator of which is five, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus two;
(ii) For tax years beginning on or after January 1, 2016, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus quadruple the sales factor and the denominator of which is six, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus three;
(iii) For tax years beginning on or after January 1, 2017, by multiplying such taxable net income by a fraction, the numerator of which is the property factor plus the payroll factor plus quintuple the sales factor and the denominator of which is seven, except that when the sales factor does not exist, the denominator of the fraction shall be the number of existing factors, and when the sales factor exists but the payroll factor or property factor does not exist, the denominator of the fraction shall be the number of existing factors plus four; and
(iv) For tax years beginning on or after January 1, 2018, and thereafter, by multiplying such taxable net income by one hundred percent of the sales factor.
(3) For purposes of the application of Section 32B of chapter 63 of the General Laws, each member of a combined group will be considered to be a 'Wholesale corporation' under this Section if fifty-percent or more of the combined group's non-intercompany receipts are derived from sales at wholesale trade."
The amendment was *rejected*.
Ms. Spilka moved that the proposed new text be amended by inserting at the end thereof following section:-
"SECTION XX. Subsection (a) of section 18 of chapter 23D, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:-
(15) provision of research, evaluation, and promotion of worker-cooperatives as an alternative means of business ownership in the commonwealth."
After remarks, the amendment was adopted.
Messrs. Michael O. Moore and Rodrigues moved that the proposed new text be amended by inserting after section ____, the following new section:-
"SECTION ______. Paragraph (a) of section 32 of chapter 62C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following sentence:- If any amount of tax is not paid to the commissioner on or before its statutory due date, there shall be added to the tax interest at the rate of the federal short-term rate determined under section 6621(b) of the Internal Revenue Code, as amended and in effect for the taxable year, plus 2 percentage points, computed as simple interest."
The amendment was *rejected*.
Ms. Spilka moved that the proposed new text be amended by inserting at the end thereof following section:-
"SECTION XX. Chapter 23A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 14 the following sections:-
Section 14A. There shall be within the partnership the commonwealth marketing office which shall be under the supervision and control of an executive director. The powers and duties given to the executive director of the commonwealth marketing office in this chapter and in any other general or special law shall be exercised and discharged subject to the direction, control and supervision of the partnership.
The executive director of the commonwealth marketing office shall be appointed by the governor, and serve at the pleasure of the governor. The position of executive director of the commonwealth marketing office shall be classified under section 45 of chapter 30 and the executive director of marketing shall devote full time during business hours to the duties of the office of travel and tourism and shall give to the state treasurer a bond for the faithful performance of those duties.
The executive director of marketing shall be the executive and administrative head of marketing and shall be responsible for administering and enforcing the laws relative to marketing the commonwealth and to any administrative unit of that office. Powers and duties given to an administrative unit of marketing by a general or special law shall be exercised subject to the direction, control and supervision of the executive director of marketing.
Section 14B. The commonwealth marketing office shall:
(1) create a marketing plan to communicate to businesses within the commonwealth and in other states and nations, information

about state and local government policies, procedures, and programs designed to encourage business growth, the high educational attainment of the Massachusetts workforce, the strength of the many industrial clusters within the state and other factors which create a positive business environment in the Commonwealth;
(2) file a marketing plan every two years with the secretary of housing and economic development that includes programs and activities undertaken by the Commonwealth to promote a positive business environment and any recognitions or rankings received by the state for its efforts. Each plan shall include performance based measurements commensurate with section 16G(i) of Chapter 6A of the General Laws and align with the strategic plan created by the Economic Development Planning Counsel under section 16G(l) of Chapter 6A and shall evaluate the success of the prior year's plan in meeting those goals;
(3) coordinate with institutions designed to promote the economic development in the Commonwealth, including but not limited to the Massachusetts Export Center, to measure and report on the use of export assistance within the Commonwealth;
(4) work with the regional economic development organizations, secondary and higher education institutions throughout the commonwealth, and Workforce Investment Boards, to create a marketing plan for each region in the commonwealth describing regional strengths, and business assistance opportunities, including but not limited to federal, state, and local resources available for worker training and collaborations with area educational institutions to develop an appropriately prepared workforce."
The amendment was *rejected*.
Ms. Spilka moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 3A of chapter 23A, of the General Laws as appearing in the 2012 Official Edition, is hereby amended by striking the definition for 'Gateway City,' and inserting in place thereof the following new definition:-
'Gateway City,' a municipality with a population greater than 35,000 and less than 250,000; a median household income below the commonwealth's average and a rate of education attainment of a bachelor's degree or above that is below the commonwealth's average designated by the Secretary of Housing and Economic Development pursuant to this chapter or a municipality with a population greater than 65,000 and less than 250,000 that includes at least 3 census tracts with poverty rates of at least 20 percent and with median family income that does not exceed 80 percent of the statewide median family income."
The amendment was *rejected*.
Ms. Spilka moved that the proposed new text be amended in line 792 by adding at the end thereof: "or is a low income community as defined by the United States internal revenue code section 45D (e)(1)".
The amendment was *rejected*.
Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, by inserting at the end thereof following item:- "XXXX-XXXX For a statewide college and career readiness program to be implemented by JFY NetWorks, a non-profit corporation, to reduce the number of remedial developmental courses students are required to take at community colleges; provided, that JFY NetWorks shall establish the JFYNet College and Career Readiness program to administer the Accuplacer Diagnostic and College Placement tests in high schools, provide individualized online instructional curricula to strengthen the skills measured by the tests, and administer final Accuplacer Placement tests to measure student progress and program outcomes; provided further, that passing scores will be reported to community colleges assuring student placement in credit-earning courses; provided further, that JFY NetWorks shall coordinate with the 15 community colleges within the Commonwealth to identify not more than 5 high schools per community college that shall send students to said program; and provided further, that said program shall not exceed 7,500 students statewide……………………$1,000,000."
After remarks, the amendment was adopted.
Ms. Spilka moved that the proposed new text be amended in section 16, by striking out, in line 421 the figure "7" and inserting in place thereof the figure:- "8"; and inserting in line 422, after the words "western region of the commonwealth," the following:- "1 of whom shall be from the metro west region of the commonwealth,".
The amendment was adopted.
Ms. Spilka, Messrs. Keenan and Tarr moved that the proposed new text be amended by inserting at the end thereof following section:-
"SECTION XX. Said section 6 of said chapter 62, as appearing in the 2012 Official Edition, is hereby further amended by adding the following subsection:-
(s) (1) As used in this subsection, the following words shall, unless the context clearly requires otherwise, have the following meanings:-
'Business', a profession, sole proprietorship, trade partnership, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, non-profit entity or other business entity. 'Gateway municipality', a gateway municipality as defined in section 3A of chapter 23A.
'Qualifying business', a business which: (a) has its principal place of business in the commonwealth; (b) has at least 50 per cent of its employees located in the business's principal place of business; (c) has a fully developed business plan that includes all appropriate long and short term forecasts and contingencies of business operations, including research and development, profit, loss and cash flow projections and details of angel investor funding; (d) employs 20 or fewer full-time employees at the time of the taxpayer investor's initial qualifying investment as provided for in paragraph (2); (e) has a federal tax identification number; and (f) has gross revenues equal to or less than $500,000 in the fiscal year prior to eligibility.
'Qualifying investment', a monetary investment that is at risk and not secured or guaranteed; provided, however, that a "qualifying investment" shall not include venture capital funds, hedge funds and commodity funds with institutional investors, or investments in a business involved in retail, real estate, professional services, gaming or financial services.
'Taxpayer investor', accredited investors, as defined by the United States Securities and Exchange Commission pursuant to section 2(15)(ii) of the Securities Act of 1933, 15 U.S.C. section 77b(15)(ii), and who is not the principal owner of the qualifying

business who is involved as a full-time professional activity.
(2) A taxpayer investor who makes a qualifying investment in a qualifying business shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 20 per cent of the amount of the taxpayer's qualifying investment. A taxpayer investor who makes a qualifying investment in a qualifying business with its principal place of business located in a gateway municipality shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 30 per cent of the amount of the taxpayer's qualifying investment. Taxpayer investors may invest up to $125,000 per qualifying business per year with a $250,000 maximum for each qualifying business. The total of all tax credits available to a taxpayer investor under this subsection and section 38GG of chapter 63 shall not exceed $50,000 in any 1 tax year.
(3) Qualifying investments may be used by a qualifying business for the following purposes: (a) capital improvements; (b) plant equipment; (c) research and development; and (d) working capital. Qualifying investments shall not be used to: pay dividends, fund or repay shareholders' loans, redeem shares, repay debt or pay wages or other benefits of the taxpayer investor.
(4) The credits allowed under paragraph (2) may be taken against income tax due in either the tax year of the initial investment or in any of the 3 subsequent taxable years. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer investor to any of the 3 subsequent taxable years. If the qualifying business ceases to have its principal place of business in the commonwealth within such 3 year period, the taxpayer investor shall not claim any further credits and shall repay the total amount of credits claimed to the commonwealth.
(5) The commissioner of revenue, in consultation with the executive office of housing and economic development, shall authorize annually, for the 2 year period beginning January 1, 2015, and ending December 31, 2018, pursuant to this subsection together with section 38GG of chapter 63, an amount not to exceed $5,000,000 per year for the credits allowed.
(6) The executive office of housing and economic development, in consultation with the commissioner of revenue, shall authorize, administer and determine eligibility for this tax credit and allocate the credit in accordance with the standards and requirements as set forth in regulations promulgated pursuant to this subsection. The executive office of housing and economic development shall allocate the total available tax credit among as many qualified commonwealth businesses as fiscally feasible with the goal of creating and maintaining jobs in the commonwealth.
(7) The commissioner of revenue and the executive office of housing and economic development shall promulgate regulations necessary to carry out this subsection."
The amendment was *rejected*.
Ms. Spilka and Mr. Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XXX: Section 12 of Chapter 156C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof, the following subsection:-
'(d) The fee for filing of the certificate of organization required by subsection (a) shall be $500; provided however, that the fee for filing of said certificate of organization shall be $250 for a business that has 10 employees or less. The fee for the filing of the annual report required by subsection (c) shall be $500; provided however, that the fee for filing of said annual report shall be $50 for the first two annual reports that a business files after filing its initial certificate of organization. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.'."
The amendment was *rejected*.
Mr. Welch moved that the proposed new text be amended in section 2A, in line item 7002-1510, by inserting after the words "program eligibility requirements" the following words:- "; provided further, that not less than $250,000 shall be expended for a feasibility study of the 'Court of Dreams' project to create a basketball court facility to host year-round basketball tournaments in the city of Springfield".
The amendment was *rejected*.
Mr. Welch, Ms. Candaras and Mr. Humason moved that the proposed new text be amended in section 2A, in line time 7002-1508, by inserting after the word "employers" the following words:- "; provided further that not less than 300,000 shall be expended for a coordinated program between the regional employment board of Hampden County and the school districts of West Springfield, Ludlow, Longmeadow, East Longmeadow, Agawam, Hampden-Wilbraham, Southwick-Tolland Granville"; and by striking out the figures "$10,000,000" and inserting in place thereof the figures "$10,300,000".
After remarks, the amendment was adopted.
Messrs. Welch and Rosenberg, Ms. Candaras and Mr. Humason moved that the proposed new text be amended in section 2A, by inserting after line item 7002-1704 the following item:
"7003-0605 For a grant to the Massachusetts manufacturing extension partnership to conduct a study of the manufacturing industry in Berkshire, Hampden, Hampshire, Franklin and Bristol counties; provided, that such study shall assess global market opportunities, identify barriers to growth, develop a strategic roadmap for future growth and identify next steps to transfer this methodology to other regions; and, provided further, that the Massachusetts manufacturing extension partnership shall be authorized to contract with outside vendors to conduct the research and analysis of the manufacturing industry……………………$500,000".
The amendment was *rejected*.
Messrs. Tarr, Michael O. Moore and Joyce moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION__. Section 3A of chapter 23A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out, in line 139, the figure '35,000' and inserting in place thereof the following figure:- 20,000."
The amendment was adopted.

Mr. Eldridge moved that the proposed new text be amended by adding the text of Senate document numbered 2207, relative to efficiency and transparency in economic development.
The amendment was *rejected*
Messrs. Kennedy, Keenan and Tarr moved that the proposed new text be amended by inserting after section __, the following new section:-
"SECTION __. Said section 6 of said chapter 62, as so appearing, is hereby further amended by inserting the following subsection:-
(s) (1) As used in this subsection, the following words shall, unless the context clearly requires otherwise, have the following meanings:-
'Business', a profession, sole proprietorship, trade partnership, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, non-profit entity or other business entity.
'Gateway municipality', a gateway municipality as defined in section 3A of chapter 23A.
'Qualifying business', a business which: (a) has its principal place of business in the commonwealth; (b) has at least 50 per cent of its employees located in the business's principal place of business; (c) has a fully developed business plan that includes all appropriate long and short term forecasts and contingencies of business operations, including research and development, profit, loss and cash flow projections and details of angel investor funding; (d) employs 20 or fewer full-time employees at the time of the taxpayer investor's initial qualifying investment as provided for in paragraph (2); (e) has a federal tax identification number; and (f) has gross revenues equal to or less than $500,000 in the fiscal year prior to eligibility.
'Qualifying investment', a monetary investment that is at risk and not secured or guaranteed; provided, however, that a 'qualifying investment' shall not include venture capital funds, hedge funds and commodity funds with institutional investors, or investments in a business involved in retail, real estate, professional services, gaming or financial services.
'Taxpayer investor', accredited investors, as defined by the United States Securities and Exchange Commission pursuant to section 2(15)(ii) of the Securities Act of 1933, 15 U.S.C. section 77b(15)(ii), and who is not the principal owner of the qualifying business who is involved as a full-time professional activity.
(2) A taxpayer investor who makes a qualifying investment in a qualifying business shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 20 per cent of the amount of the taxpayer's qualifying investment. A taxpayer investor who makes a qualifying investment in a qualifying business with its principal place of business located in a gateway municipality shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 30 per cent of the amount of the taxpayer's qualifying investment. Taxpayer investors may invest up to $125,000 per qualifying business per year with a $250,000 maximum for each qualifying business. The total of all tax credits available to a taxpayer investor under this subsection and section 38GG of chapter 63 shall not exceed $50,000 in any 1 tax year.
(3) Qualifying investments may be used by a qualifying business for the following purposes: (a) capital improvements; (b) plant equipment; (c) research and development; and (d) working capital. Qualifying investments shall not be used to: pay dividends, fund or repay shareholders' loans, redeem shares, repay debt or pay wages or other benefits of the taxpayer investor.
(4) The credits allowed under paragraph (2) may be taken against income tax due in either the tax year of the initial investment or in any of the 3 subsequent taxable years. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer investor to any of the 3 subsequent taxable years. If the qualifying business ceases to have its principal place of business in the commonwealth within such 3 year period, the taxpayer investor shall not claim any further credits and shall repay the total amount of credits claimed to the commonwealth.
(5) The commissioner of revenue, in consultation with the executive office of housing and economic development, shall authorize annually, for the 2 year period beginning January 1, 2015, and ending December 31, 2018, pursuant to this subsection together with section 38GG of chapter 63, an amount not to exceed $5,000,000 per year for the credits allowed.
(6) The executive office of housing and economic development, in consultation with the commissioner of revenue, shall authorize, administer and determine eligibility for this tax credit and allocate the credit in accordance with the standards and requirements as set forth in regulations promulgated pursuant to this subsection. The executive office of housing and economic development shall allocate the total available tax credit among as many qualified commonwealth businesses as fiscally feasible with the goal of creating and maintaining jobs in the commonwealth.
(7) The commissioner of revenue and the executive office of housing and economic development shall promulgate regulations necessary to carry out this subsection.
SECTION __. Chapter 63 of the General Laws is hereby amended by inserting after section 38FF the following section:-
Section 38GG. (a) As used in this subsection, the following words shall, unless the context clearly requires otherwise, have the following meanings:
'Business', a profession, sole proprietorship, trade partnership, corporation, general partnership, limited liability company, limited partnership, joint venture, business trust, public benefit corporation, non-profit entity or other business entity. 'Gateway municipality', a gateway municipality as defined in section 3A of chapter 23A.
'Qualifying business', a business which: (i) has its principal place of business in the commonwealth; (ii) has at least 50 per cent of its employees located in the business's principal place of business; (iii) has a fully developed business plan that includes all appropriate long and short term forecasts and contingencies of business operations, including research and development, profit, loss and cash flow projections and details of angel investor funding; (iv) employs 20 or fewer full-time employees at the time of the taxpayer investor's initial qualifying investment as provided for in subsection (b); (v) has a federal tax identification number; and (vi) has gross revenues equal to or less than $500,000 in the fiscal year prior to eligibility.
'Qualifying investment', a monetary investment that is at risk and not secured or guaranteed; provided, however, that a qualifying

investment shall not include venture capital funds, hedge funds and commodity funds with institutional investors, or investments in a business involved in retail, real estate, professional services, gaming, or financial services.
'Taxpayer investor', accredited investors, as defined by the United States Securities and Exchange Commission pursuant to section 2(15)(ii) of the Securities Act of 1933, 15 U.S.C. section 77b(15)(ii), and who is not the principal owner of the qualifying business who is involved as a full-time professional activity.
(b) A taxpayer investor who makes a qualifying investment in a qualifying business shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 20 per cent of the amount of the taxpayer's qualifying investment. A taxpayer investor who makes a qualifying investment in a qualifying business with its principal place of business located in a gateway municipality shall be allowed a credit against the taxes imposed by this chapter in an amount equal to 30 per cent of the amount of the taxpayer's qualifying investment. Taxpayer investors may invest up to $125,000 per qualifying business per year with a $250,000 maximum for each qualifying business. The total of all tax credits available to a taxpayer investor under this section and subsection (s) of section 6 of chapter 62 shall not exceed $50,000 in any 1 tax year.
(c) Qualifying investments may be used by a qualifying business for the following purposes: (i) capital improvements; (ii) plant equipment; (iii) research and development; and (iv) working capital. Qualifying investments shall not be used to: pay dividends, fund or repay shareholders' loans, redeem shares, repay debt, or pay wages or other benefits of the taxpayer investor.
(d) The credits allowed under subsection (b) may be taken against income tax due in either the tax year of the initial investment or in any of the 3 subsequent taxable years. Any amount of the tax credit that exceeds the tax due for a taxable year may be carried forward by the taxpayer investor to any of the 3 subsequent taxable years. If the qualifying business ceases to have its principal place of business in in the commonwealth within such 3 year period, the taxpayer investor shall not claim any further credits and shall repay the total amount of credits claimed to the commonwealth.
(e) The commissioner of revenue, in consultation with the executive office of housing and economic development, shall authorize annually, for the 2 year period beginning January 1, 2015, and ending December 31, 2018, under this section together with subsection (s) of section 6 of chapter 62, an amount not to exceed $5,000,000 per year for the credits allowed.
(f) The executive office of housing and economic development, in consultation with the commissioner of revenue, shall authorize, administer and determine eligibility for the tax credit and allocate the credit in accordance with the standards and requirements as set forth in regulations promulgated pursuant to this section. The executive office of housing and economic development shall allocate the total available tax credit among as many qualified commonwealth businesses as fiscally feasible with the goal of creating and maintaining jobs in the commonwealth.
(8) The commissioner of revenue and the executive office of housing and economic development shall prescribe regulations necessary to carry out this subsection."
The amendment was *rejected*.
Mr. Kennedy moved that the proposed new text be amended by inserting after section __, the folowing new section:-
"SECTION __. ; and provided further, that $1,950,000.00 be expended For the Massachusetts office of business development for contracts with regional development organizations under the program established by section 3J and 3K of chapter 23A of the General Laws."
The amendment was *rejected*.
Mr. Barrett moved that the proposed new text be amended in section 2A, by inserting after item 7002-1512, the following item:-
"xxxx-xxxx For grants for the study and implementation of parking management plans in municipalities that, due to residential, commercial or industrial development, require the development of demand-based parking to meet the needs of visitors to the municipality whether they be employees, customers of businesses or tourists; provided, that municipalities that demonstrate an average daily visitor population of at least 30,000 shall be given priority grants up to $100,000. The grants shall be administered by the executive office of housing and economic development, in consultation with the department of transportation
………………………………………… $1,000,000".
The amendment was *rejected*.
Mr. Barrett moved that the proposed new text be amended by inserting after section ___, the following new section:-
"SECTION ___: Section 3A of Chapter 23A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the definition of 'Gateway Municipality' and inserting in its place the following:
'Gateway Municipality', a municipality with a population greater than 35,000 and less than 250,000 that meets at least two of the following criteria:
a. A median income below the commonwealth average;
b. A rate of educational attainment of a bachelor's degree or above that is lower than the commonwealth average; or
c. An increase of at least 25% enrollment of English language learners in the public school system over two consecutive school years."
The amendment was *rejected*.
Messrs. Barrett, Michael O. Moore and Montigny moved that the proposed new text be amended in section 2A, in item 7002-1704, by adding at the end thereof the following:- "; provided further that not less than $1,000,000 shall be expended to support job training aligned with the commonwealth's economic development strategy, including but not limited to, the following: developing and implementing employer and worker responsive programs to enhance worker skills, incomes, productivity and retention and to increase the quality and competitiveness of Massachusetts firms; training and helping the unemployed to find suitable employment; improving employment opportunities for low-income individuals, low wage workers, and parents and pregnant women eligible for aid under section 2 of chapter 118 of the General Laws; improving wages to a level sufficient to support a family or to place individuals on a career path leading to such employment and wages; training vulnerable youths and

adults to master basic academic skills and encouraging them to develop occupational skills and become employed in jobs that have career potential; and training older and displaced workers for new occupations"; and in line 152, by striking out the figure "$1,000,000" and inserting in place thereof the figure "$2,000,000".
The amendment was *rejected*.
Messrs. Barrett and Michael O. Moore moved that the proposed new text be amended in section 2A, by inserting after item 7003-0606 the following item:
"xxxx-xxxx For the Executive Office of Labor and Workforce Development to commission a study by an independent consultant regarding best practices to assist recipients of Transitional Aid to Families with Dependent Children to obtain employment and economic self-sufficiency; which study shall include, but not be limited to, recommendations regarding alignment of education and training programs with emerging and high-vacancy professions; recommendations regarding how to comprehensively assess participants' strengths, needs and barriers; and recommendations regarding how to develop an appropriate education, training, support and career plan for each participant using components such as subsidized work, vocational and academic education, internships and apprenticeships; provided that the consultant shall consult with and consider the recommendations of community-based job training, employment and service providers, program clients and employers regarding areas of opportunity, barriers to employment, and effectiveness of specific techniques and approaches; provided further, that a copy of the consultant's report shall be filed with the Department of Transitional Assistance and the clerks of the house of representatives and the senate, who shall forward the report to the house and senate chairs of the joint committee on children, families and persons with disabilities, the house and senate chairs of the joint committee on labor and workforce development, and the house and senate committees on ways and means…………………… $200,000".
The amendment was *rejected*.
Ms. Donoghue moved that the proposed new text be amended by inserting after section XX, the following new section:-
"SECTION XX. Subsection (a) of Section 4 of Chapter 40V of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out clause (ii)."
After remarks, the amendment was adopted.
Ms. Donoghue, Messrs. Hedlund and Tarr moved that the proposed new text be amended by inserting after section XX, the following new section:- "SECTION XX. Section 12 of Chapter 156C, as appearing in the 2010 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:-
(d) The fee for the filing of the certificate of organization required by subsection (a) shall be five hundred dollars. The fee for the filing of the annual report required by subsection (c) shall be five hundred dollars, except as provided in subsection (e). Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.
(e) The fee for the filing of the annual report required by subsection (c) for a limited liability company with 6 employees or fewer shall be two hundred and fifty dollars. Such fees shall be paid to the state secretary at the time the annual report is filed."
The amendment was *rejected*.
Ms. Donoghue moved that the proposed new text be amended in section 28, in line 760, by striking out the number "15" and inserting in place thereof the following number:- "16"; and in said section 28, in line 772, by inserting after the word "county" the following words:- "provided further, at least 1 investor/consumer advocacy representative shall be appointed by the Office of Consumer Affairs and Business Regulations".
The amendment was *rejected*.
Ms. Donoghue, Messrs. DiDomenico and Wolf, Ms. Forry and Mr. Michael O. Moore moved that the proposed new text be amended in section 2A, by inserting after item 7008-1015 the following item:-
"xxxx-xxxx For a transfer to the Massachusetts Growth Capital Corporation to support small business lending activities, provided that no less than $5 million be used to provide grants and other investments to Community Development Financial Institutions certified by the United States Treasury or nonprofit community-based organizations providing small and micro business loans, provided further that such grants or investments shall be used to leverage federal or private funding or provide matching funds necessary to obtain federal funds, provided further that priority shall be given to those organizations that focus on reaching underserved markets across the Commonwealth; provided further that the Massachusetts Growth Capital Corporation shall develop a transparent process by which all eligible applicants can apply for funding, and provided further, that the Massachusetts Growth Capital Corporation shall annually, on or before December 31, file a report with the House and Senate committees on Ways and Means, and the Joint Committee on Community Development and Small Businesses…………………… $10,000,000".
The amendment was *rejected*.
Ms. Donoghue moved that the proposed new text be amended in section 2A, by inserting after item 7008-0105 the following item:-
"xxxx-xxxx For the completion of necessary pre-construction activities, including surveying, design, acquisition, marketing, and promotion, for the Tanner Street Realignment in Lowell, which will meet the following goals of the Ayer's City Industrial Park Gateway Project: enhance redevelopment potential of existing vacant and underutilized sites; accommodate increased traffic from new developments and reduce local congestion; and provide a more marketable and recognizable gateway into Ayer's City Industrial Park …………………… $500,000".
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. Notwithstanding any general or special law or rule or regulation to the contrary, a licensed or certified real estate appraiser or a real estate appraisal trainee who timely completed, in accordance with the requirements of the Appraisal Qualifications Board of the Appraisal Foundation, the 7-hour national Uniform Standards of Professional Appraisal update

course before the effective date of this act and was the subject of disciplinary proceedings by the board of real estate appraisers prior to May 26, 2011 for failure to complete the continuing education requirements of section 184 of chapter 112 of the General Laws shall have that disciplinary action rescinded and permanently removed from the appraiser or appraisal trainee's record. Nothing in this act shall be construed to establish a cause of action by any such real estate appraiser or trainee against the board of real estate appraisers or the division of professional licensure related to any such disciplinary action."

After remarks, the amendment was adopted.

Ms. Donoghue moved that the proposed new text be amended in item 7002-1509, in line 82, by inserting after the word "Center" the following words:- ", The Innovation Hub".

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting at the end thereof the following new section:-

"SECTION__. Section 1A of Chapter 151 is as appearing in the 2012 Official Edition is hereby amended by inserting after the 'chapter 136' in line 20 the following new paragraph:-

An employer in the commonwealth in accordance with this section and in lieu of overtime compensation may provide compensatory time off at a rate of not less than one and one-half hours for each hour of employment in excess for which overtime compensation is required by this section. An employer may provide compensatory time to employees only if such time is provided in accordance with (i) all applicable provisions of a collective bargaining agreement between the employer and the labor organization that has been certified or recognized as the representative of the employees under applicable law or (ii) in the case of employees who are not represented by a labor organization an agreement arrived at between the employer and employee before the performance and affirmed by a written or otherwise variable record, provided that the employer has offered and the employee has chosen to receive compensatory time in lieu of monetary overtime compensation; and the agreement was entered into knowingly and voluntarily by such employees and not as a condition of employment. No employee may receive or agree to receive compensatory time unless the employee has worked at least 1,000 hours for the employee's employer during a period of continuous employment with the employer in the 12-month period before the date of agreement or receipt of compensatory time off. An employee may not accrue more than 160 hours of compensatory time. Not later than January 31 of each calendar year, the employee's employer shall provide monetary compensation for any unused compensatory time off accrued during the preceding calendar year that was not used prior to December 31 at a rate one and one-half hours for each hour. The employer may provide monetary compensation for an employee's unused compensatory time in excess of 80 hours at any time after giving the employee at least 30 days notice. Except where a collective bargaining agreement provides otherwise, an employer that has adopted a policy offering compensatory time to employees may discontinue such policy upon giving employees 30 days notice. An employee may withdraw an agreement for compensatory time at any time. An employee may also request in writing that monetary compensation be provided, at any time, for all compensatory time accrued that has not yet been used. Within 30 days of receiving the written request, the employer shall provide the employee compensation due in accordance with this section. An employer that provides compensatory time to employees shall not directly or indirectly intimidate, threaten, or coerce or attempt to intimidate, threaten, or coerce any employee for the purpose of (i) interfering with such employee's rights under this section to request or not request compensatory time off in lieu of payment of monetary overtime compensation for overtime hours; or (ii) requiring any employee to use such compensatory time. An employee who has accrued compensatory time off shall, upon voluntary or involuntary termination of employment, be paid for any unused compensatory time off."

After debate, the amendment was rejected.

Mr. Joyce moved that the proposed new text be amended by inserting after section XX, the following new section:- "SECTION XX. Said section 3A of chapter 23A, as so appearing, is hereby further amended by striking the figure '35,000', in line 139, and inserting in place thereof the following figure:- '30,000'." The amendment was *rejected*.

Mr. Joyce moved that the proposed new text be amended by inserting after section XX, the following new section:-

"SECTION XX. Section 3 of chapter 194 of the Acts of 2012 is hereby amended by striking the figure '2014' and inserting in place thereof the following figure:- '2016'."

The amendment was *rejected*.

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

"SECTION__. Section 12 of chapter 156C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:-

(d) The fee for the filing of the certificate of organization required by subsection (a) shall be one hundred twenty-five dollars. The fee for the filing of the annual report required by subsection (c) shall be one hundred twenty-five dollars. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed."

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 governor shall file with the joint committee on economic development and the clerks of the house and senate, a comprehensive plan to catalyze economic growth and job creation in the commonwealth for calendar year 2015; provided that such plan shall include but not be limits to proposed or undertaken measures to provide permitting, licensure or other regulatory relief, reductions in taxes, fees or other economic burdens, assistance in the purchase or development of infrastructure or equipment, or other financial incentives. Said plan shall also set forth specific performance goals and metrics by which to measure the progress toward these goals, and shall be filed not later than March 15, 2015, provided that it may be subsequently amended in the same manner as it was filed."

The amendment was *rejected*.

Messrs. Tarr and Michael O. Moore moved that the proposed new text be amended by inserting after section__, the following

new section:-
"SECTION__. Section 39 of chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following paragraph: 'A business corporation shall not be subject to the excise under subsection (b) provided said corporation is within its first three years of incorporation, or if it has paid an amount calculated under the provisions of subsection (a) for all of the previous three years; provided, that under no circumstances shall a business corporation which employs more than 25 full-time or full-time equivalent employees be eligible for the provisions of this section'.."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eight minutes past four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 9 − nays 29) **[Yeas and Nays No. 384]:**

YEAS.

Hedlund, Robert L.	Rodrigues, Michael J.
Humason, Donald F., Jr.	Ross, Richard J.
Moore, Michael O.	Tarr, Bruce E.
Moore, Richard T.	Timilty, James E. − **9.**
Pacheco, Marc R.	

NAYS.

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

Flanagan, Jennifer L.	Welch, James T.
Forry, Linda Dorcena	Wolf, Daniel A. − **29.**
Jehlen, Patricia D.	

ABSENT OR NOT VOTING.

Donoghue, Eileen M. − **1.**

The yeas and nays having been completed at eleven minutes past four o'clock P.M., the amendment was *rejected*.
Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Section 2 of chapter 64H of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.8 per cent', effective August 1, 2014.
SECTION__. Section 2 of said chapter 64H, as so appearing, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.4 per cent', effective August 1, 2015.
SECTION__. Section 2 of said chapter 64H, as so appearing, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5 per cent', effective August 1, 2016.
SECTION __. Section 2 of Chapter 64I of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.8 per cent', effective August 1, 2014.
SECTION __. Section 2 of said chapter 64I, as so appearing, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5.4 per cent', effective August 1, 2015.
SECTION __. Section 2 of said chapter 64I, as so appearing, is hereby amended by striking the words '6.25 per cent' and inserting in place thereof the words '5 per cent', effective August 1, 2016."
After remarks, the amendment was *rejected*.
Mr. Brownsberger moved that the proposed new text be amended by adding the following new section:-
Section XX. The General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting the following new chapter:-
40Y:1 Preamble
Section 1. The sections in this chapter shall be known and may be cited as the 'Planning Ahead for Growth Act'. The purposes of the act shall be to advance the state's economic, environmental, and social well being through enhanced planning for economic growth, workforce housing creation, land conservation, and public health, consistent with the state's Sustainable Development Principles.
40Y:2 Definitions
Section 2. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:-
'Land use, environmental and transportation agencies' shall mean all agencies, departments, boards, commissions, authorities and instrumentalities of the Commonwealth responsible for conserving land and natural resources and for planning, designing, funding, constructing, permitting, or siting private development, public facilities, or infrastructure facilities such as energy, housing, commercial or industrial development, transportation, water supply, wastewater treatment and disposal, or solid waste management.
'Land Use Priority Plan' means a state-endorsed plan, developed with municipalities and regional planning agencies in any relevant geographic region that identifies local, regional and state priority development and priority preservation areas. Such plans may be based on Regional Plans created by the state's regional planning agencies in the event that the process of developing such plans included significant input and feedback from the municipalities and citizenry included within the Regional Plan area. A plan shall not be considered a Land Use Priority Plan for purposes of this Chapter until such time that state priority development and state priority preservation areas have been identified and approved by the Commonwealth. A 'priority development area' is a location determined to be desirable for housing and/or economic development and determined to be appropriate for such growth applying Massachusetts Sustainable Development Principles. A 'priority preservation area' is a location determined to be desirable and appropriate for preservation through the acquisition of land and interests in land for conservation purposes and/or improvement in order to better serve the underlying conservation objective. Locations may be both priority development and priority preservation areas.
'Regional planning agency' means the regional or district planning commission established pursuant to chapter 40B for the region within which a municipality is located. The term shall also mean the Martha's Vineyard Commission, as described in chapter 831 of the Acts of 1977, and the Cape Cod Commission, as described in chapter 716 of the Acts of 1989, the Franklin Council of Governments, as described in chapter 151 of the Acts of 1996, and the Northern Middlesex Council of Governments, as described in chapter 420 of the Acts of 1989.

‘Sustainable Development Principles’ means the following:
(i) Concentrate Development and Mix Uses:
Support the revitalization of city and town centers and neighborhoods by promoting development that is compact, conserves land, protects historic resources, and integrates uses. Encourage remediation and reuse of existing sites, structures, and infrastructure rather than new construction in undeveloped areas. Create pedestrian friendly districts and neighborhoods that mix commercial, civic, cultural, educational, and recreational activities with open spaces and homes.
(ii) Advance Equity:
Promote equitable sharing of the benefits and burdens of development. Provide technical and strategic support for inclusive community planning and decision making to ensure social, economic, and environmental justice. Ensure that the interests of future generations are not compromised by today's decisions.
(iii) Make Efficient Decisions:
Make regulatory and permitting processes for development clear, predictable, coordinated, and timely in accordance with smart growth and environmental stewardship.
(iii) Protect Land and Ecosystems:
Protect and restore environmentally sensitive lands, natural resources, agricultural lands, critical habitats, wetlands and water resources, and cultural and historic landscapes. Increase the quantity, quality and accessibility of open spaces and recreational opportunities.
(iv) Use Natural Resources Wisely:
Construct and promote developments, buildings, and infrastructure that conserve natural resources by reducing waste and pollution through efficient use of land, energy, water, and materials.
(v) Expand Housing Opportunities:
Support the construction and rehabilitation of homes to meet the needs of people of all abilities, income levels, and household types. Build homes near jobs, transit, and where services are available. Foster the development of housing, particularly multifamily and smaller single-family homes, in a way that is compatible with a community's character and vision and with providing new housing choices for people of all means.
(vi) Provide Transportation Choice:
Maintain and expand transportation options that maximize mobility, reduce congestion, conserve fuel and improve air quality. Prioritize rail, bus, boat, rapid and surface transit, shared-vehicle and shared-ride services, bicycling, and walking. Invest strategically in existing and new passenger and freight transportation infrastructure that supports sound economic development consistent with smart growth objectives.
(vii) Increase Job and Business Opportunities:
Attract businesses and jobs to locations near housing, infrastructure, and transportation options. Promote economic development in industry clusters. Expand access to education, training, and entrepreneurial opportunities. Support the growth of local businesses, including sustainable natural resource-based businesses, such as agriculture, forestry, clean energy technology, and fisheries.
(viii) Mitigate and Adapt to Climate Change:
Promote clean energy. Increase resilience to climate change. Maximize energy efficiency and renewable energy opportunities. Support energy conservation strategies, local clean power generation, distributed generation technologies, and innovative industries. Reduce greenhouse gas emissions from buildings, electricity generation, transportation, and other sources through decreased consumption of fossil fuels. Protect against hazards to decrease vulnerability to climate change in the built and natural environment.
(ix) Plan Regionally:
Support the development and implementation of local and regional, state and interstate plans that have broad public support and are consistent with these principles. Foster development projects, land and water conservation, transportation and housing that have a regional or multi-community benefit. Consider the long-term costs and benefits to the Commonwealth.
40Y:3 Land Use Priority Plans
Section 3. In furtherance of this chapter to advance the state’s economic, environmental, and social well-being through enhanced planning for economic growth, workforce housing creation, and land conservation, the Commonwealth shall, from time to time, work with municipalities and regional planning agencies to create Land Use Priority Plans.
Land Use Priority Plans shall encourage development and preservation in a manner that is consistent with the Sustainable Development Principles. Such Plans shall not be regulatory, but shall guide state, regional, and local agencies in the exercise of their statutory authority.
40Y:4 Priorities for state investments; consistency of state investments
Section 4. The Commonwealth shall, when awarding discretionary funds or grants administered through any land use, environmental and transportation agencies give priority consideration to investments that support:
A) Development within:
(I) Districts or zones approved by those agencies, such as Chapter 40R smart growth overlay zoning districts and Chapter 43D expedited permitting sites; and/or
(II) Priority development areas endorsed as state priorities in a Land Use Priority Plan.
B) Conservation and improvement of priority preservation areas endorsed as state priorities in a Land Use Priority Plan.
The Commonwealth’s land use, environmental and transportation agencies, shall, when making capital expenditure decisions (including infrastructure investments), issuing permits, or awarding discretionary funds or grants, take into consideration state

development and preservation priorities identified in Land Use Priority Plans and the Sustainable Development Principles and shall cause their actions to be consistent with those priorities and with the Principles to the maximum extent possible.
Regional planning agencies and municipalities shall take into consideration the development and preservation priorities identified in Land Use Priority Plans when making land use plans, adopting or amending zoning and other local land use regulations, making capital expenditures (including infrastructure investments) or issuing permits.
The Commonwealth's land use, environmental and transportation agencies shall cooperate in the use of their policies, programs, and regulations to provide regulatory, financial, and other incentives to produce plans, adopt or amend zoning and other local land use regulations, make capital expenditures (including infrastructure investments), or issue permits that conform to Land Use Priority Plans and the Sustainable Development Principles."
The amendment was *rejected*.
Mr. Tarr and Ms. Donoghue moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION_. The department of revenue in conjunction with the executive office of administration and finance shall conduct a study municipalities in the commonwealth that border states with a lower sales tax than the commonwealth to assess lost revenue to these communities and to the commonwealth.
Said study along with any recommendations shall be submitted to the clerks of the house and senate, the joint committee on revenue and house and senate committee on ways and means no later than December 31, 2014."
The amendment was *rejected*.
Mr. Tarr moved that the proposed new text be amended by inserting in section 2A, in item 7002-1506, at the end thereof the following:- "Notwithstanding the definition of a gateway municipality, provided not less than $50,000 shall be expended for the development of downtown Hamilton in the town of Hamilton."
The amendment was *rejected*.
Mr. Petruccelli moved that the proposed new text be amended by inserting at the end, the following new section:-
"SECTION XX. Section 32J of chapter 90 of the general laws is hereby amended by striking out in lines 5-6 the words: 'a membership fee separate from'."
After remarks, the amendment was adopted.
Mr. Brownsberger moved that the proposed new text be amended by adding the following new section:-
"SECTION X. Sections 42 and 42A of chapter 93 of the General Laws are hereby repealed."
The amendment was adopted.
Mr. DiDomenico, Ms. Forry and Mr. Michael O. Moore moved that the proposed new text be amended by inserting at the end thereof the following new section: -
"SECTION ___. Section 6 of chapter 62 of the Massachusetts General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following section:
(s) The early educator tax credit shall be given to eligible early childhood educators who have demonstrated degree attainment. The credit shall be a range of $200.00 to $600.00 for an Associate's degree or a Bachelor's Degree, with the exact amount to be determined by the Department of Early Education and Care. If the amount of the credit allowed exceeds the early educator's liability, the commissioner shall treat such excess as an overpayment and shall pay the early educator the amount of the excess, without interest.
(1) 'Eligible early educator', shall mean any person who meets each of the following requirements:
(i) The person has been approved by the Department of Early Education and Care for the regular care and education of children unrelated to the educator in a location outside the children's own home for all or part of the day;
(ii) The person has been employed continuously for 6 months of the tax year for an average of 20 hours or more per week in an eligible child care program; and
(iii) The person has obtained an Associate's Degree or Bachelor's Degree in any academic discipline in any of the years prior to the current tax year. Only one credit per eligible educator shall be given, according to the highest level of education obtained. Eligible early educators may apply for the credit each year.
(2) The Department of Early Education and Care shall verify the eligibility of early educators. This information will be shared with the Department of Revenue with the goal of reducing potential administrative costs to the state created by an early educator tax credit.
(3) The early educator tax credit shall be reviewed five years after the tax code is amended for its inclusion. If it is found that there is a significant decrease in the need for an early educator tax credit, the bill will be subject to sunset. This review will assess the tax credit on the following merits:
(i) Its use by early educators;
(ii) Its effectiveness in promoting job retention in the early education field; and
(iii)The continued need of the tax credit."
The amendment was *rejected*.
Mr. Tarr moved that the proposed new text be amended by inserting after section__, the following new section:-
"SECTION __. Chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 38FF the following section:- Section __. (a) A cor
poration formed under chapter 156D and taxable under this chapter shall receive a nontransferrable credit against an excise tax imposed under subsection (b) of section 2, subsection (b) of section 2B or subsection (b) of section 39.
(b) A corporation shall be eligible for a credit under subsection (a) only for the first 3 years in which it is required to file a return

under this chapter; provided, however, that such credit shall not be allowed to any corporation with 50 percent or more of its voting stock owned by another corporation, whether or not such owning corporation is taxable in the commonwealth."
The amendment was *rejected*.
Mr. Joyce moved that the proposed new text be amended by adding the text of Senate document numbered 2206, relative to protecting small business investments.
The amendment was *rejected*.
Mr. Tarr moved that the proposed new text be amended by inserting the following after section ___, the following new section:-
"SECTION__. Section 6 of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after subsection (r) the following new subsection:-
(s) There shall be a credit for any employer based in Massachusetts who with their own resources including but not limited to training at employer own facilities, payment for training at a third party facility hires individuals for at least two weeks. The credit shall be $500 for each newly hired full time employee hired in the first three quarters of that fiscal year, not to exceed $25,000 per business in any calendar year. This section shall expire on July 1, 2019."
The amendment was *rejected*.
Messrs. Petruccelli and Finegold moved that the proposed new text be amended by inserting at the end thereof the following new section:-
"SECTION XX. Section 1. Chapter 25C of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 7 thereof the following new section:-
Section 8. (a) Notwithstanding chapter 159 or any other general or special law to the contrary, the department shall have no jurisdiction, general supervision, regulation or control over wireless service, including mobile radio telephone service or radio utilities.
(b) Nothing in this section shall be construed to affect or modify:
(1) the authority of the attorney general to apply and enforce chapter 93A and other consumer protection laws of general applicability;
(2) the authority of the department under sections 18B and 18H, of chapter 6A, concering enhanced 911 service; under section 3 of Chapter 40A; under section 15E of Chapter 166, concerning telephone relay service; and under 25A of Chapter 166, concering pole attachments;
(3) the rights and obligations of any carrier under 47 U.S.C. § 251 or 47 U.S.C. §252
(4) the authority of the department to administer federal programs supported by the federal Universal Service Fund including Lifeline and Link-up programs, the E-rate program, or Connect America Fund.
(5) The obligations under state or federal law of a carrier classified as an incumbent local exchange carrier, as defined in 47 U.S.C. §251(h), as of January 1, 2014
(6) The authority of the department to receive and refer consumer complaints, or to perform consumer education activities.
Section 2. Sections 12A, 12B, 12C, 12D, and 14A of Chapter 159 are hereby repealed.
After remarks, the amendment was adopted.
Mr. Ross moved that the proposed new text be amended in section 26, in line 723, by inserting after the word "development." the following:- "All reports shall be made available on the office of travel and tourism's website."
After remarks, the amendment was adopted.
Messrs. Humason and Michael O. Moore moved that the proposed new text be amended by inserting the text of Senate document numbered 2205, relative to fair, amusement and attraction operations.
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following:- "provided further, that $50,000 be expended for a streetscape and roadway enhancement plan for the Route 9 Corridor in Wellesley;".
The amendment was *rejected*.
Messrs. Ross and Michael O. Moore moved that the proposed new text be amended in section 2A, in item 7008-1015, in line 143, by striking out the words "and (iv)" and inserting in place thereof the following words:- "(iv) the percent change in tourism revenue following implementation of the marketing plan; and (v)"; and in said section 2A, in item 7008-1015, by inserting at the end thereof the following:- "; all reports shall be made available on the office's website".
After remarks, the amendment was adopted.
Mr. Ross moved that the proposed new text be amended by inserting the following new section:-
"SECTION XX. Chapter 79 of the General Laws, as appearing in the 2012 official edition, is hereby amended by inserting after section 1 the following new section:-
Section 1A. Notwithstanding any other provision of law, neither the state nor any political subdivision thereof nor any other condemning entity shall use eminent domain unless it is necessary for a public use. Whenever property is condemned and will be used by a private party, the condemner must establish, by clear and convincing evidence, that the use of eminent domain complies with this section and is reasonably necessary.
The term 'public use' shall only mean: (1) the possession, occupation and enjoyment of the land by the general public, or by public agencies; (2) the use of land for the creation or functioning of public utilities or common carries; or (3) where the use of eminent domain (a)(i) removes a public nuisance, (ii) removes a structure that is beyond repair or unfit for human habitation or use, or (iii) is used to acquire abandoned property in its current condition. The public benefits of economic development, including an increase in tax base, tax revenues, employment and general economic health, shall not constitute a public use."

After remarks, the amendment was *rejected*.
Messrs. Ross and Michael O. Moore moved that the proposed new text be amended in section 25 by adding at the end thereof the following:- “All reports shall be made available on the office of travel and tourism’s website.”
The amendment was adopted.
Mr. Finegold moved that the proposed new text be amended in section 2A, by inserting after item 7002-1512, the following item: “xxxx-xxxx For the Greater Lawrence Community Boating Program to create summer jobs for low income high school students……………………$20,000”.
The amendment was *rejected*.
Mr. Humason moved that the proposed new text be amended in section 2A, by inserting after item 7009-6406, in line number 162, the following item:
"7008-0900 For the restoration, including construction consulting, business planning and architecture and engineering costs of the Massachusetts International Festival of the Arts for the Victory Theater in the city of Holyoke …………………… $100,000".
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following:- “provided further, that $500,000 be expended for the purpose of installing sidewalks from the old town center to the new town center in the Town of Wayland;”.
The amendment was *rejected*.
Mr. Finegold moved that the proposed new text be amended in section 2A, in item 7002-1510, by adding at the end thereof the following: “provided further that $50,000 shall be expended for the Lawrence Partnership, Inc. for the purpose of providing support for public and private sector collaboration for economic development in the City of Lawrence;"; and by striking out the figure "$1,500,000" and inserting in place thereof the figure "1,550,000".
After remarks, the amendment was adopted.
Messrs. Finegold and Michael O. Moore 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 Development Finance Agency shall provide a loan advance rate of at least 90 per cent to family entertainment venue projects.”
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended in section 69, in line 1381, by inserting after the word “process.” the following words:- “The portal shall include information on federal and state resources available to assist small businesses.”; and in said section 69, by inserting at the end thereof the following:- “The report shall be made available on the division’s website.”
After remarks, the amendment was adopted.
Ms. Candaras, Messrs. Downing and Finegold, Ms. Donoghue, Messrs. Welch and McGee, Ms. Chandler, Mr. Rodrigues, Ms. Spilka, Mr. Humason and Ms. Forry moved that the proposed new text be amended by inserting after section 44 the text of Senate document numbered 2243, relative to investment in low income areas of the Commonwealth.
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended by inserting the following new section:-
“SECTION XX. Chapter 58 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by adding the following section:-
Section 52. No new tax shall be collected, assessed or payable until 3 months after the passage of the act in which the new tax was created.”
The amendment was *rejected*.
Messrs. Humason and Michael O. Moore moved that the proposed new text be amended in section 2A, by inserting after item 7002-1704 on line 147 the following item:-
"7002-0020 For a precision manufacturing pilot program that provides training to unemployed and underemployed individuals, including veterans; provided, that the program shall be administered by the executive office of housing and economic development ………………………………………… $1,000,000".
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended in section 2A, in item 7007-1202, by inserting at the end thereof the following:- “; and provided further that the reports shall be made available on the Massachusetts Technology Collaborative’s website.”; and in section 68, in line 1378, by inserting at the end thereof:- “The reports shall be made available on the Massachusetts Technology Collaborative’s website.”.
The amendment was adopted.
Mr. Ross moved that the proposed new text be amended in section 28, in line 760, by striking out the number “15” and inserting in place thereof the following:- “17”; and in said section 28, in line 763, by inserting after the word “services;” the following words:- “one member of the senate, appointed by the senate minority leader; one member of the house, appointed by the house minority leader;”.
The amendment was *rejected*.
Mr. Ross moved that the proposed new text be amended in section 28, by adding at the end thereof the following:- “The council shall submit a report annually not later than December 31 to the clerks of the senate and house of representatives on the council’s findings. The report shall include, but not be limited to: (i) dates of all council meetings; (ii) barriers to strengthening the financial services industry; (iii) goals; and (iv) recommendations. The reports shall be made available on the executive office of housing and economic development’s website.”

The amendment was *rejected*.
Mr. Wolf moved that the proposed new text be amended in section 2A, by inserting after the item 7002-1506, the following item:-
"7002-XXXX For improvements to the intersection of Milestone Road and the Old South Road corridor in the Town of Nantucket to accommodate increased traffic from planned affordable housing development and health and public safety development projects. ………………………………………… $1,500,000".
The amendment was *rejected*.
Mr. Wolf moved to amend the proposed new text in section 2A, in item 7002-1506, by adding at the end thereof the following words:- " provided further, that not less than $50,000 for a Last Mile Broadband grant for broadband service from the town of Edgartown to the island of Chappaquiddick".
The amendment was *rejected*.
Mr. Wolf moved to amend the proposed new text by adding the following section:
"SECTION XX: There shall be a special commission to investigate, analyze and study any barriers and hindrances to the 'last mile' connections to the broadband internet initiatives. The special commission shall consist of thirteen members including: six members appointed by the governor, one of whom shall be from western Massachusetts; one of whom shall be from central Massachusetts; one of whom shall be from Cape Cod and the Islands; one of whom shall be the director of a community development corporation located in Barnstable county; one of whom shall be the director of a community development corporation located in Berkshire county; and one of whom shall be the director of a community development corporation located elsewhere in the Commonwealth; the secretary of energy and environmental affairs, or a designee; the secretary of housing and economic development, or a designee; one member of the house appointed by the speaker; one member of the house appointed by the minority leader; one member of the senate appointed by the senate president; one member of the senate appointed by the minority leader; and the director of the Massachusetts broadband institute.
The commission study shall include, but not be limited to, any economic, technical, statutory or regulatory barriers or other hindrances to close 'last mile' connections being made. The commission shall submit 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 House of Representatives and senate, the house and senate committees on ways and means, and the joint committee on economic development and emerging technologies not later than January 15, 2015."
The amendment was *rejected*.
Mr. Wolf moved to amend the proposed new text by adding the following section:-
"SECTION XX: (a) Notwithstanding any general or special law to the contrary, any town in the Commonwealth of Massachusetts adopting this statute via local option may assess and collect interest on an unpaid balance of a sewer betterment assessment at a rate up to 2% of the net rate of interest chargeable to the town for the project to which the assessment relates.
(b) Notwithstanding any general or special law to the contrary, any town in the Commonwealth of Massachusetts adopting this statute via local option may apportion all future sewer assessments or unpaid balances of assessments over a period not to exceed thirty (30) years, and may structure the payments so that the amounts payable in the several years for principal and interest combined are as nearly equal as practicable. These equal payments may be further apportioned and collected by the town on quarterly tax bills at the option of the town. An owner of land assessed may pay the total remaining principal amount due without a prepayment penalty.
(c) This act shall take effect upon its passage. "
The amendment was *rejected*.
Mr. Wolf moved to amend the proposed new text by adding the following section:
"SECTION XX: (a) The county commissioners of the County of Dukes County are hereby authorized to raise and expend a sum not exceeding $1,600,000 for purchase and improvements of a building to provide health and human services for county residents.
(b) For the purposes authorized in paragraph (a), the treasurer of said county, with the approval of the county commissioners, may borrow upon the credit of said county such sums as may be necessary, not exceeding in the aggregate $1,600,000, and may issue bonds or notes of the county thereof, which shall be designated on their face Dukes County Health and Human Services Building Loan, Act of 2014. Each authorized issue shall constitute a separate loan and such loans shall be issued for not more than 30 years. The bonds or notes shall be signed by the county treasurer and countersigned by a majority of the county commissioners. The county may sell such bonds or notes at public sale upon such terms and conditions as the county commissioners may deem proper, but not for less than their par value. Indebtedness incurred hereunder shall, except as herein provided, be subject to the provisions of chapter 35 of the General Laws."
After remarks, the amendment was adopted.
Messrs. Wolf and Barrett and Ms. Creem moved to amend the proposed new text in section 2A, in item 7003-0606, by striking out the figures "$150,000" and inserting in place thereof the figures "$1,000,000".
The amendment was *rejected*.
Mr. Ross moved to amend the proposed new text in section 5, in line 231, by striking out the following words "and (iii)" and inserting in place thereof the following words: "(iii) identify potential barriers to obtaining and retaining financial aid for students pursuing stackable education pathway opportunities; and (iv)"; and in said section 5, in line 244, by striking out the words "and (iv)" and inserting in place thereof the following words:- "(iv) provide flexible financial aid opportunities that respond to the needs of students pursuing stackable education pathway opportunities; and (v)".
The amendment was *rejected*.

Mr. Hedlund and Ms. Donoghue moved to amend the proposed new text by inserting after section ___, the following new section:--
“SECTION ___. Section 12 of chapter 156C, as so appearing is hereby amended by striking subsection (d) of paragraph (9) and inserting in place thereof the following:
(d) The fee for the filing of a certificate of organization required by subsection (a) shall be one hundred dollars. The fee for the filing of the annual report required by subsection (c) shall be one hundred dollars. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.”
The amendment was *rejected*.
Messrs. Wolf and Donnelly, Ms. Chang-Diaz, Ms. Creem, Messrs. DiDomenico and Eldridge, Ms. Forry, Ms. Jehlen, Messrs. Michael O. Moore and Lewis, Ms. Spilka, Messrs. Joyce and Barrett, Ms. Lovely, Messrs. Finegold, McGee and Montigny moved to amend the proposed new text in section 2A, in item 7002-1704, by inserting at the end thereof the following:- “; provided further that not less than $5,000,000 shall be expended to support job training aligned with the commonwealth's economic development strategy, including but not limited to the following: developing and implementing employer and worker responsive programs to enhance worker skills, incomes, productivity and retention and to increase the quality and competitiveness of Massachusetts firms; training and helping the unemployed find suitable employment; improving employment opportunities for low-income individuals, low wage workers; improving wages to a level sufficient to support a family or to place individuals on a career path leading to such employment and wages; training vulnerable youths and adults to master basic academic skills and encouraging them to advance educationally developing occupational skills and becoming employed in jobs that have career potential; and training older and displaced workers for new occupations”; and by striking out the figure “$1,000,000” and inserting in place thereof the figure “$6,000,000”.
The amendment was *rejected*.
Mr. Ross moved to amend the proposed new text in section 74, in line 1472, by striking out the words “and (iv)” and inserting in place thereof the following words:- “(iv) a list of federal, state, and institutional financial aid policies that impact students pursuing stackable education pathway opportunities; (v) recommendations for establishing and implementing flexible financial aid opportunities that respond to the needs of students pursuing stackable education pathway opportunities; and (vi)”; and in said section 74, by inserting at the end thereof the following:- “The report shall be made available on the department of higher education’s website.”.
The amendment was *rejected*.
Mr. Michael O. Moore moved to amend the proposed new text in section 16, by inserting after the words "Merrimack Valley", in line 426, the following sentence:- "At least 1 of the 7 persons appointed by the governor shall be a municipal official.".
After remarks, the amendment was adopted.
Mr. Hedlund moved to amend the proposed new text by inserting after section __, the following new section:-
"SECTION __. Section 12 of chapter 156C, as so appearing, is hereby amended by adding the following subsection:-
(e) The fee for filing of the certificate of organization required by subsection (a) shall be waived for a first-time filing.
Section __. Section 1.22 of Chapter 156D, as so appearing, is hereby amended by inserting the following section:-
Section 1.22(a) The fee for the filing the certificate of organization for S Corporations, as defined by USC Section 1361, shall be waived for a first-time filing."
The amendment was *rejected*.
Messrs. Welch, Humason, Wolf, Rodrigues and Montigny moved to amend the proposed new text in section 26, by striking out in line 719, the figure "80" and inserting in place thereof the following figure:- “70” ; and by striking out, in line 720, the figure "20" and inserting in place thereof the following figure:- “30”.
After remarks, the amendment was adopted.
Mr. Montigny moved to amend the proposed new text in section 2, in item 7008-1015, by adding the following words at the end thereof:- “provided further, that not less than $150,000 shall be expended for the Frederick Douglass House, New Bedford, MA to assist with operations and to foster economic development and tourism.”; and by striking out the figure “$5,000,000” and inserting in place thereof the following figure:- “$5,150,000”.
The amendment was *rejected*.
Mr. Montigny moved to amend the proposed new text in section 2, in item 7002-1510, by adding the following words at the end thereof:- “provided further that not less than $150,000 shall be expended for the Zeiterion Theatre, Inc. and AHA! Arts, History & Architecture, New Bedford to plan, promote and host a performance of the Boston Pops Orchestra in New Bedford so as to advance economic development and tourism in the downtown/seaport cultural district.”; and by striking out the figure “1,500,000” and inserting in place thereof the following figure:- “1,650,000”.
The amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by inserting in section 2A, in item 7002-1506, by adding at the end thereof the following:-“notwithstanding the definition of gateway city, provided that $200,000 be expended for the purpose of repair, and restoration of the Hammatt Street parking lot in the town of Ipswich".
The amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by striking out section 30 in its entirety; and by striking out section 32 in its entirety and inserting in place thereof the following:-
"SECTION 32. Said chapter 23G is hereby further amended by adding the following section:-
Section 46. (a) There shall be established and set up on the books of the commonwealth a Transformative Development Fund within the Massachusetts Development Finance Agency. In carrying out its duties under this section, the agency may utilize the

fund as provided in this section to make equity investments and provide technical assistance to revitalize and support residential, commercial, industrial and institutional development, or any combination thereof, and to provide financial assistance to promote the following including but not limited to collaborative workspaces. The fund shall be administered and managed by a fund director who shall be appointed by the executive director of the agency. The agency may adopt guidelines necessary to implement the program. The fund may coordinate with other agencies and instrumentalities of the commonwealth to effectuate this section.
(b) The liabilities and obligations of the fund shall not extend beyond the monies which are deposited in the fund and shall not constitute a debt or pledge of the faith and credit of the commonwealth or any political subdivision of the commonwealth.
(c) Monies in or received for the fund may be deposited with and invested by any institution designated by the treasurer of the agency at the sole discretion of the treasurer and paid as the fund director shall direct. Any return on investment received by the fund as a result of the deposits and the agency's equity investments shall be deposited and held for the use and benefit of the fund. The treasurer may make payments from the deposit accounts for use under this section. The agency may be reimbursed annually from the fund for all reasonable and necessary direct costs and expenses incurred with its administration, management and operation of the fund, including reasonable staff time, out-of-pocket expenses and administrative costs.
(d) The fund may apply for and accept subventions, grants, loans, advances and contributions from any source of money, property, labor or other things of value to be held, used and applied in furtherance of this section.
(e) The agency shall use the fund to make equity investments in property that the agency has determined has the potential to constitute community development in a municipality. With respect to any property acquired by the fund, the agency may pledge its ownership interest, physical assets held by the ownership entity or any portion of the anticipated gross revenue resulting from the equity investments of the fund to secure loans related to development of the property. The agency may not cross-collateralize the fund's investments in the property.
(f) The fund director shall allocate a portion of the original capitalization of the fund, not to exceed 20 per cent, to provide technical assistance to revitalize and support development in municipalities by utilizing any of the following methods of providing technical assistance: (i) grants to support the hiring of professional staff or professional services by a municipality or any instrumentality of the municipality; (ii) reimbursement for professional staff employed by the agency and embedded in a municipality; (iii) grants to pay for third-party professional services managed by the agency; and (iv) any other variation on the provision of technical assistance consistent with this section.
(g) At its discretion, the agency may allocate the fund's technical assistance through a competitive process using criteria that include, without limitation, the existence of a long-term economic development strategy, commitment to effective use of the agency's technical assistance by the municipality and other local partners and the potential for community development in the municipality.
(h) The fund director shall allocate a portion of the original capitalization of the fund to support the development in municipalities of the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations to spur innovative and creative business growth and economic activity and assist with the redevelopment of underutilized buildings. The program shall: (i) promote the following including but not limited to creation of collaborative workspaces by providing financial assistance for capital investments in underutilized buildings; (ii) foster collaboration and linkages among innovative and creative enterprises by providing central locations for such businesses or individuals to work in an environment designed to promote sharing of resources, experience and expertise; (iii) support partnerships among municipalities, property owners and businesses to establish collaborative workspaces, and (iv) require a collaborative workspace to provide shared space which promotes the interaction, socialization and coordination among tenants through the clustering of multiple businesses or individuals within the collaborative workspace. The agency shall, through grants, contracts or loans, administer the program for the purpose of facilitating a collaborative and co-working space to address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities.
(i) Loans or grants made under this program may be made to property owners or the following including but not limited to collaborative workspaces operators for building improvements which shall be utilized by the collaborative workspace participants provided that the use of the fund results in corresponding private investment that matches or exceeds the grants from the fund. In the case of a grant, any participating property owner or collaborative workspace operator shall at least match the investment of the fund. In the case of a loan, the agency shall reasonably anticipate that its loan will leverage additional private investment in the property.
(j) The agency shall solicit applications for financial assistance that promote the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations through a request for proposals. The agency shall establish criteria for the submission of applications; provided, however, that the applications shall include, but need not be limited to: (i) a description of the parties involved in the project, including the professional expertise and qualifications of the principals; (ii) a description of the scope of work that shall be undertaken by each party involved in the project; (iii) the proposed budget, including verification of funding from other sources; (iv) a statement of the project objective, including specific information on how the project shall promote the use of the space as collaborative and shared space; (v) a statement that sets forth the implementation plan, the facilities and resources available or needed for the project and the proposed commencement and termination dates of the project; (vi) a description of the expected significance of the project, including a description of the market demand for the type of workspace proposed in the region that the space shall be located and the number of businesses or individuals that shall be served as a result of the project; and (vii) any other information that the agency shall consider necessary. The agency shall also establish guidelines for the review and approval of applications that include

preferences for proposals that: (A) redevelop at least 10,000 square feet in existing properties located in the downtown area of a municipality; (ii) dedicate at least 25 per cent of accessible space to use; and (iii) support a cluster of at least 15 separate occupants.
(k) The agency shall enter into an agreement with each collaborative workspace, that receives a grant or loan or enters into a contract under this section regarding: (i) performance measures and indicators that shall be used to evaluate the performance of the collaborative workspace operator in carrying out the activities described in the application; and (ii) any other indicators determined to be necessary to evaluate the performance of the eligible entity. Each collaborative workspace, shall submit an annual report for the agency's review for the duration of the collaborative workspace operation. The agency shall enter into an agreement with each property owner that receives a grant or loan or enters into a contract under this section regarding the use of funds and the time frame for the use of funds.
(l) The agency shall identify and maintain a list of redevelopment projects within municipalities with the greatest potential to provide substantial local economic growth, job creation, neighborhood revitalization or abandoned and underutilized property reuse. In its investigation, the agency shall prioritize redevelopment projects that may commence promptly after identification. The agency shall outline the economic opportunities at the project sites, describe marketable site uses and describe the benefits of investing in the redevelopment project. The agency shall also describe current impediments facing each identified redevelopment project and outline particular policies and programs in place that provide technical assistance, financing options, permitting aid or any other incentives to pursue redevelopment options.
(m) The agency shall, in coordination with the executive office of housing and economic development, submit an annual report to the clerks of the senate and house of representatives who shall forward the report to 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 by December 31. The report shall include a current assessment of the progress of each project funded through the collaborative workspace program and the progress of the participants in the program."
After remarks, the amendment was *rejected*.
Mr. Montigny and Ms. Candaras moved to amend the proposed new text in section 2, by inserting after item 7007-1202, the following new item:- "7008-0952 For a competitive grant program for zoos not operated by the commonwealth zoological corporation; and provided further, that in awarding said grants, the office of business development shall ensure that all zoos who received funding in fiscal year 2014 shall in fiscal year 2015 and shall award said grants to zoos in equal amounts to all grant recipients …………………… $150,000".
After remarks, the amendment was adopted.
Mr. Tarr moved to amend the proposed new text by inserting after section___, the following new section:-
"Notwithstanding any general or special law to the contrary, the Department of Public Health shall conduct a study on the feasibility of the creation of a state specialty pharmacy license for an entity registered under section 503B of the Drug Safety and Security Act of 2013 ('DQSA'), and registered the U.S. Food and Drug Administration ('FDA') as an outsourcing facility pursuant to the DQSA.
Said study along with any recommendations shall be submitted to the clerks of the house and senate, the joint committee on public health and the house and senate committee on ways and means no later than 30 days of passage of this act."
The amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by inserting after section ___, the following new section:-
"Notwithstanding any general or special law to the contrary, any entity shall be eligible for the credit against amount of excise due for research expense as established in section 38M of Chapter 63."
The amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by inserting after section ___, the following new section:-
"SECTION __. Chapter 7 of the General Laws is hereby amended by striking sections 52 to 55, inclusive, in their entirety and inserting in place thereof the following sections:-
Section 52. Definitions
As used in sections fifty-two to fifty-five, inclusive, the following words shall have the following meanings:--
'Council', the Commonwealth Competition Council.
'Privatization', means a variety of techniques and activities which promote more involvement of the private sector in providing services that have traditionally been provided by government. It also includes methods of providing a portion or all of select government-provided or government-produced programs and services through the private sector.
'Agency'', an executive office, department, division, board, commission or other office or officer in the executive branch of the government of the commonwealth, the Massachusetts Bay Transportation Authority, the Massachusetts Turnpike Authority, the Massachusetts Port Authority and the Woods Hole, Martha's Vineyard and Nantucket Steamship Authority.
Section 53. Creation of Council and Duties
A. There is hereby created in the executive branch the Commonwealth Competition Council.
B. The council shall examine and promote methods of providing a portion or all of select government-provided or government-produced programs and services through the private sector by a competitive contracting program, and advise the governor, the legislature, and executive branch agencies of the council's findings and recommendations.
C. The council shall develop an institutional framework for a statewide competitive program to encourage innovation and competition within state government.
D. The council shall establish a system to encourage the use of feasibility studies and innovation to determine where competition could reduce government costs without adversely impacting the public.

E. The council shall monitor the products and services of state agencies to bring an element of competition and to ensure a spirit of innovation and entrepreneurship.
F. The council shall advocate, develop and accelerate implementation of a competitive program for state entities to ensure competition for the provision or production of government services, or both, from both public and private sector entities.
G. The council shall establish approval, planning, and reporting processes required to carry out the functions of the council.
H. The council shall determine the privatization potential of a program or activity; perform cost/benefit analyses; and conduct public and private performance analyses. The secretary for administration and finance shall independently certify the results of the comparison.
I. The council shall devise, in consultation with the secretary for administration and finance, evaluation criteria to be used in conducting performance reviews of any program or activity which is subject to a privatization recommendation.
J. The council shall, to the extent practicable and to the extent that resources are available, make its services available for a fair compensation to any political subdivision of the Commonwealth.
Section 54. Appointment
A. The council shall consist of thirteen members; 2 members of the senate, 1 of whom shall be appointed by the minority leader; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; four employees of executive branch agencies to be appointed by the governor; two members of the private sector to be appointed by the governor; one member of the private sector to be appointed by the speaker of the house; one member of the private sector to be appointed by the president of the senate; and one member of an organized labor group appointed by the governor.
B. Legislative members shall serve on the council until the expiration of their terms of office or until their successor shall qualify. Three of the members who are employees of the executive branch, one member from the private sector and member of organized labor appointed by the governor shall be appointed for terms of three years. Members of the private sector appointed by the speaker of the house and president of the senate shall be appointed for terms of three years.
C. Appointments to fill vacancies shall be for the unexpired terms. No person shall be eligible to serve for or during more than two successive three-year terms. Executive branch agency members shall serve only as long as they retain their positions.
D. The council shall annually elect its chairman and vice chairman from among its members.
E. Seven members of the council shall constitute a quorum. No action shall be taken by the council without the concurrence of at least six members.
Section 55. Cooperation of other state agencies.
All agencies of the Commonwealth shall cooperate with the council and, upon request, assist the council in the performance of its duties and responsibilities. The council shall not impose unreasonable burdens or costs in connection with requests of agencies."
The amendment was *rejected*.
Mr. Montigny moved to amend the proposed new text by inserting after section___, the following new sections:-
"SECTION ___. Section 1 of Chapter 62C, as appearing in the 2012 Official Edition, is hereby amended by inserting the following new subsections in the definition of 'tax credit program' after subsection (xii):-
(xiii) the investment tax credit in section 31A of chapter 63, (xiv) the devens refundable tax credit in section 38N of chapter 63 (xiv) the abandoned building renovation deduction in section 38O of chapter 63.
Section 2. Said Chapter 62C, as appearing in the 2012 Official Edition, is amended by inserting after section 89 the following:-
Section 90. Sunsets for Tax Credit Programs
(a) Notwithstanding any general or special law to the contrary, all tax credit programs shall expire after a period of three years unless reauthorized by an act of the legislature after review and examination of the effectiveness of each such tax credit program by the department of revenue and the executive office of administration and finance's office of commonwealth performance, accountability and transparency.
(b) Notwithstanding any general or special law to the contrary, all tax credit programs existing and in effect at the time of the passage of this law, shall expire after one year of the date of the passage of this law unless reauthorized by an act of the legislature after review and examination of the effectiveness of each such tax credit program by the department of revenue and the executive office of administration and finance's office of commonwealth performance, accountability and transparency.
Section 3. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 90 the following:-
Section 91. In any review and examination of a tax credit program, the department of revenue and the office of commonwealth accountability, performance and transparency shall, in addition to any other analysis deemed appropriate by the agencies, identify and develop metrics for assessing the effectiveness of each tax credit program at achieving its identified purposes and outcomes, identify revenue foregone, beneficiaries and distribution of amounts received, and the number of jobs created, if applicable. After completion of such review and examination, the agencies shall issue a report to the governor and legislature's committees on way and means and post audit and oversight. Except for the reports on the examination of tax credit programs under section 90(b), the report shall be completed one year before the expiration date of the tax credit program which is the subject of the report. In any report issued by the agencies after the review and examination of any tax credit program, the report, based on the agencies' examination of the tax credit program, studies and data from other states and academia, shall make recommendations for elimination or modification of the tax credit program to more effectively achieve the tax credit programs identified public policy purposes.
Section 4. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 91 the following;-
Section 92. Notwithstanding any general or special law to the contrary, all tax credit programs shall contain and include a

clawback provision, so called, that permits the commonwealth to recoup foregone tax receipt from tax credit program recipients who fail to achieve or meet stated goals and benchmarks, including but not limited to job creation goals set forth in their tax credit program.
Section 5. Said chapter 62C, as appearing in the 2012 official edition, is hereby amended by inserting after section 92 the following:-
Section 93. Before submitting any new tax credit program for legislative approval, the governor shall include in the governor's legislative proposal or bill for the new tax credit program the following: (a) the new tax credit program's clearly specified public policy purpose and desired outcome, (b) a finding that the tax credit program is expected to be highly effective at achieving the stated public policy purposes, (c) estimates of foregone revenue from the new tax credit program, (d) for discretionary grant like tax credit programs an overall annual dollar cap on foregone revenue, (e) for discretionary grant like tax credit programs, the criteria to be applied by the administering agency in making discretionary awards of tax credit programs and (f) for discretionary grant like tax credit programs, provisions for the tax credit program's administration including, but not limited to, (i) clear written conditions and commitments,(ii) public disclosure of recipients and tax benefits, (iii) if tax credit program conditions are not met by the recipient, threshold for further review and enforcements including the use of the tax credit program's clawback provision, and (iv) a competitive award process."
The amendment was *rejected*.
Messrs. Tarr, Michael O. Moore and Montigny moved to amend the proposed new text in section 2A, by inserting before the item 7008-1015 the following new item:
"7008-0905 For the marketing and assisting of businesses in the commercial fishing industry to market the value added of the use of cod and other fish …………………… $100,000".
After remarks, the amendment was adopted.
Mr. Keenan moved to amend the proposed new text by inserting after the word "community" in line 1042 the following:- "and municipal".
The amendment was *rejected*.
Mr. Keenan moved to amend the proposed new text by striking the words "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land or on public leasehold, right-of-way or easement", in lines 747 through 748, and inserting in place thereof the following:- "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land; or on public leasehold, right-of-way or easement; or on a municipally owned lot, where the term 'lot' shall mean an area of land, or space above land, in 1 ownership, with definite boundaries, used, or available for use, as the site of 1 or more buildings or portions thereof, and shall expressly include the vertical space above the land so as to create air rights parcels".
The amendment was *rejected*.
Mr. Keenan moved to amend the proposed new text by striking the words "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land or on public leasehold, right-of-way or easement", in lines 747 through 748, and inserting in place thereof the following:- "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land, or on public leasehold, right-of-way or easement, or over public land in accordance with the provisions of chapter 547 of the Acts of 1967".
The amendment was *rejected*.
Messrs. Richard T. Moore, Tarr and Michael O. Moore moved to amend the proposed new text in section 2A by inserting at the end thereof the following new item:-
"7002-1504 For the purpose of the redevelopment access to capital fund established pursuant to section 60 of chapter 23A of the General Laws …………………… $2,500,000".
The amendment was *rejected*.
Messrs. Keenan and Michael O. Moore moved to amend the proposed new text by striking the words "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land or on public leasehold, right-of-way or easement", in lines 747 through 748, and inserting in place thereof the following:- "Eligible public infrastructure projects authorized by clause (i) of subsection (a) shall be located on public land; or on public leasehold, right-of-way or easement; or on a municipally owned lot, where the term 'lot' shall mean an area of land, or space above land, in 1 ownership, with definite boundaries, used, or available for use, as the site of 1 or more buildings or portions thereof, and shall expressly include the vertical space above the land so as to create air rights parcels; or over public land in accordance with the provisions of chapter 547 of the Acts of 1967".
The amendment was *rejected*.
Mr. Richard T. Moore moved to amend the proposed new text by inserting after section 47, the following section:-
"SECTION 47A. Section 165 of Chapter 112, as appearing in the 2012 Official Edition, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:-
The board may issue a license to an applicant as an applied behavior analyst; provided, however, that each applicant, in addition to complying with clauses (1) and (2) of the first paragraph shall provide satisfactory evidence to the board that the applicant:
(1) has successfully completed a doctoral degree program from a recognized educational institution in which the doctoral program included a minimum of 60 graduate credit hours in courses related to the study of behavior analysis or a master's degree program from a recognized educational institution wherein the master's program included a minimum of 30 graduate credit hours in courses related to the study of behavior analysis, or for individuals with a masters or doctoral degree in another field of human services, successful completion of a board-approved certificate program in behavior analysis from a recognized educational

institution combined with the successful completion of an approved course sequence formally approved by the board;
(2) has successfully completed a practicum or supervised experience in the practice of behavior analysis that meets the standards established by the board; and
(3) has successfully passed a board-approved examination related to the principles and independent practice of applied behavior analysis"; and by inserting after section 65 the following 2 sections:-
"SECTION 65A. Chapter 429 of the Acts of 2012 is hereby amended by striking out Section 10 and inserting in place thereof the following section:-
Section 10. Notwithstanding section 165 of chapter 112 of the General Laws, an applicant who applies to be licensed as an applied behavior analyst within 24 months after the promulgation of rules and regulations under section 12 may be granted status as a licensed applied behavior analyst, subject to the approval of the board of registration of allied mental health and human services professions, if: (i) the applicant is a board-certified behavior analyst certificant of the Behavior Analysis Certification Board; (ii) the applicant has graduated with a doctoral degree from a recognized educational institution and the doctoral program included a minimum of 60 graduate credit hours in courses related to the study of applied behavior analysis; (iii) the applicant has graduated with a master's degree from a recognized educational institution and the master's program included a minimum of 30 graduate credit hours in courses related to the study of behavior analysis or (iv) the applicant has graduated with a masters or doctoral degree in another field of human services and has successfully completed a certificate program in behavior analysis from a recognized educational institution, and can demonstrate that the applicant has practiced as an applied behavior analyst full-time or equivalent part-time for a minimum of 5 years. An applicant who is granted a license under this section may renew the license biennially if the applicant completes and, when requested, provides evidence to the board of such completion of the prescribed minimum number of hours of continuing education.
SECTION 65B. Section 11 of Chapter 429 of the Acts of 2012 is hereby amended by striking out the word '4' and inserting in place thereof the following word:- '24'."
The amendment was adopted.
Messrs. Richard T. Moore, Tarr and Michael O. Moore moved to amend the proposed new text in section 2A by inserting at the end thereof the following new item:-
"1100-6000 For a reserve to provide loan guarantees to small businesses pursuant to section 57 of chapter 23A of the General Laws to be administered by the Massachusetts Office of Business Development, in cooperation with the Massachusetts Business Development Corporation…………………… $2,500,000".
The amendment was *rejected*.
Mr. Keenan, Ms. Lovely and Mr. Joyce moved to amend the proposed new text in line item 7009-6406 by inserting after the words "the student" in line 172 the following:- ", and shall ensure full access to the same for students with physical and/or learning disabilities".
After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at five minutes before five o'clock P.M., on motion of Mr. Keenan, as follows, to wit (yeas 38 − nays 0) **[Yeas and Nays No. 385]:**

YEAS.

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

Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. − **38.**

NAYS − 0.

ABSENT OR NOT VOTING.

Donoghue, Eileen M. − **1.**

The yeas and nays having been completed at one minute before five o'clock P.M., the amendment was adopted.
Mr. Keenan moved to amend the proposed new text in section 5, by inserting after the word "community" in lines 226 and 247, in each instance, the words:- "and municipal"; and, in said section, by striking the words "advanced manufacturing and information technology" in lines 236 and 237 and inserting in place thereof the following:- "advanced manufacturing, information technology and health sciences".
The amendment was *rejected*.
Mr. Keenan moved to amend the proposed new text by inserting after the word "development" in line 847 the following:- ", expansion or continued operation"; by inserting after the word "creation" in line 849 the following:- ", expansion or continued operation"; by inserting after the word "establish" in line 854 the following:- ", expand or continue the operation of"; and by inserting after the word "promote" in line 868 the following: - "the creation, expansion or continued operation of".
The amendment was *rejected*.
Messrs. Keenan and Michael O. Moore and Ms. Lovely moved to amend the proposed new text by inserting after the word "infrastructure", in line 1315, the following:- "and commercial and public maritime transportation infrastructure"; by inserting after the word "industrial" in line 1318 the following:- "and maritime transportation infrastructure"; and by inserting after the word "infrastructure" in line 1323 the following:- "including infrastructure that supports or may be improved to support commercial or public maritime transportation".
The amendment was adopted.
Mr. Tarr moved to amend the proposed new text by inserting after section __, the following new section:-
"Notwithstanding any general or special law to the contrary any employer in the commonwealth shall not have to provide health insurance to any employee who resides outside of the commonwealth."
The amendment was *rejected*.
Messrs. Keenan and Michael O. Moore moved to amend the proposed new text by inserting after the word "extensions" in line 735 the following:- ", and upgrades,".
The amendment was *rejected*.
Messrs. Keenan and Michael O. Moore and Ms. Lovely moved to amend the proposed new text by inserting after the word "improvements" in line 736 the following:- ", public parks and spaces within urban renewal districts,".

The amendment was adopted.
Mr. Keenan moved to amend the proposed new text by inserting the following new section:-
“SECTION X. For the purposes of section 15G of chapter 15A of the General Laws, ‘public higher education institutions’ shall include Quincy College.”
After remarks, the amendment was adopted.
Messrs. Rodrigues, Finegold and Tarr, Ms. Spilka, Ms. Candaras, Messrs. Joyce, Humason and Ross moved to amend the proposed new text by inserting after section 44, the following section:-
“SECTION 40A. Chapter 63 of the General Laws, as so appearing, is hereby amended by striking out section 38M and inserting in place thereof the following section:-
Section 38M. (a) A business corporation shall be allowed a credit against its excise due under this chapter equal to the sum of 10 per cent of the excess, if any, of the qualified research expenses for the taxable year over the base amount and 15 per cent of the basic research payments determined under subsection (e)(1)(A) of section 41 of the federal Internal Revenue Code.
(1) Other than as provided in paragraph (2), ‘qualified research expense‘basic research pa&l&lsquo‘quo;ment’, ‘credit year’ and any other terms affecting the calculation of the credit shall, unless the context otherwise requires, have the same meanings as under said section 41 of said Code as amended and in effect on August 12, 1991; provided, however, that the terms shall only apply to expenditures for research conducted in the commonwealth.
(2) For the purposes of subsection (a), the ‘base amount’ shall be the product of: (i) the average annual gross receipts of the taxpayer for the 4 taxable years preceding the credit year; and (ii) a fixed-base ratio. The ‘fixed base ratio’ shall be the percentage which the average aggregate qualified research expenses for the taxpayer for the third and fourth taxable years preceding the credit year is of the annual average gross receipts for those years; provided, however, that the ‘fixed base ratio’ shall not exceed 16 per cent.
In determining the amount of the credit allowable under this section, the commissioner of revenue may aggregate the activities of all corporations that are members of a controlled group of corporations as defined by subsection (f)(1)(A) of said section 41 of said Code. The commissioner also may aggregate the activities of all entities, whether or not incorporated, that are under common control as defined by subsection (f)(1)(B) of said section 41 of said Code.
(b) A business corporation may choose to have the credit determined under this subsection rather than under subsection (a). At the election of the taxpayer for calendar years 2015, 2016 and 2017, the amount of the taxpayer's credit shall be equal to 5 per cent of the taxpayer's qualified research expenses for the taxable year that exceeds 50 per cent of the taxpayer's average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined. At the election of the taxpayer for calendar years 2018, 2019 and 2020, the amount of the taxpayer’s credit shall be equal to 7 ½ per cent of the taxpayer’s average qualified research expenses for the 3 taxable years preceding the taxable year for which the credit is being determined. Beginning in calendar year 2021, the amount of the taxpayer’s credit shall be equal to 10 per cent. If the taxpayer did not have qualified research expenses in any 1 of the 3 taxable years preceding the taxable year for which the credit is being determined, the amount of the credit is equal to 5 per cent of the taxpayer's qualified research expense for the taxable year. Under this subsection, “qualified research expenses” and any other terms affecting the calculation of the credit shall, unless the context otherwise requires, have the same meanings as under said section 41 of said Code as amended and in effect on January 1, 2014; provided, however, that the terms shall only apply to expenditures for research conducted in the commonwealth.
(c) For the purposes of section 30, the deduction from gross income that may be taken with respect to any expenditures qualifying for a credit under said section 41 of said Code as amended and in effect on August 12, 1991 shall be based upon its cost less the credit allowable under this section; provided, however, that subsection (c) of section 280C of said Code shall not apply.
(d) The credit allowed under this section for any taxable year shall not reduce the excise to less than the amount due under subsection (b) of section 39, section 67 and under any act in addition thereto.
(e) The credit allowed under this section is limited to 100 per cent of a corporation’s first $25,000 of excise, as determined before

the allowance of any credits, plus 75 per cent of the corporation's excise, as so determined in excess of $25,000. The commissioner shall promulgate regulations similar to those authorized under subsection (c)(2)(B) of section 38 of said Code for the purposes of apportioning the $25,000 amount among members of a controlled group. Nothing in this section shall alter section 32C as it affects other credits under this chapter.

(f) For a corporation filing a combined return of income under section 32B, a credit generated by an individual member corporation under this section shall first be applied against the excise attributable to the corporation under section 39 subject to the limitations of subsections (d) and (e). An member corporation with an excess research and development credit may apply its excess credit against the excise of another group member to the extent that the other member corporation may use additional credits under the limitations of said subsections (d) and (e). Unused and unexpired credits generated by a member corporation shall be carried over from year to year by the individual corporation that generated the credit. Nothing in this section shall alter paragraph (h) of section 31A.

(g) Any corporation entitled to a credit under this section for any taxable year may carry over and apply to its excise for any 1 or more of the next succeeding 15 taxable years the portion, as reduced from year to year, of its credit which exceeds its excise for the taxable year. Any corporation may carry over and apply to its excise for any subsequent taxable year the portion of those credits, as reduced from year to year, which were not allowed by subsection (e).

(h) The commissioner shall promulgate regulations as necessary to implement this section.

(i) This section shall apply to expenditures incurred on or after January 1, 1991; provided, however, that, in the case of any taxable year which begins before January 1, 1991 and ends before December 31, 1991, the base amount and the qualified organization base period amount with respect to the taxable year shall be the amount that bears the same ratio to the base amount and the qualified organization base period amount for the year, determined without regard to this paragraph, as the number of days in the taxable year on or after January 1, 1991 bears to the total number of days in that taxable year.

(j)(1) The credit allowed by this section, at the election of the taxpayer in accordance with regulations promulgated by the commissioner, may be applied separately with respect to the: (i) qualified research expenses and gross receipts of the taxpayer attributable to defense-related activities; and (ii) qualified research expenses and gross receipts of the taxpayer attributable to other activities.

(2) For the purposes of this subsection, ‘defense-related activities’ shall mean any activity carried out in this commonwealth that relates to the business of researching, developing and producing for sale, pursuant to a contract or subcontract thereof: (i) any arm, ammunition or implement of war designated in the munitions list published pursuant to section 38 of the federal Arms Export Act, 22 U.S.C. § 2778 to the extent that the property shall be specifically designed, modified or equipped for military purposes; or (ii) equipment for the federal National Aeronautics and Space Administration.

(3) This paragraph shall apply to taxable years beginning on or after January 1, 1995.

(k)(1) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Life sciences’, advanced and applied sciences that expand the understanding of human physiology and may lead to medical advances or therapeutic applications including, but not limited to, agricultural biotechnology, biogenerics, bioinformatics, biomedical engineering, biopharmaceuticals, biotechnology, chemical synthesis, chemistry technology, diagnostics, genomics, image analysis, marine biology, marine technology, medical devices, nanotechnology, natural product pharmaceuticals, proteomics, regenerative medicine, RNA interference, stem cell research and veterinary science.

‘Person’, a natural person, corporation, association, partnership or other legal entity.

‘Taxpayer’, a certified life sciences company or person subject to the taxes imposed by chapters 62, 63, 64H or 64I.

(2) If a credit claimed under this section by a taxpayer exceeds the amount that may otherwise be allowed under this section for a taxable year, 90 per cent of the balance of that credit may, at the option of the taxpayer and to the extent authorized pursuant to the life sciences tax incentive program established in subsection (d) of section 5 of chapter 23I, be refundable to the taxpayer for the taxable year. If the credit balance is refunded to the taxpayer, the credit carryover provisions of paragraph (f) shall not apply.”; and in section 83, by inserting after the figure “39”, in line 1500, the following figure:- “, 40A”.

The amendment was adopted.

Messrs. Downing, Kennedy and DiDomenico, Ms. Donoghue, Messrs. Montigny, Wolf and McGee and Ms. Forry moved to amend the proposed new text by inserting at the end thereof the following 2 new sections:-

“SECTION XX. Chapter 293 of the Acts of 2006, as most recently amended by Chapter 238 of the Acts of 2012, is hereby further amended by inserting in section 5 the following definition:-

‘Transformative Redevelopment Project’ shall be a commercial or multifamily housing project in a gateway city, as defined in section 3a of chapter 23a or in a gateway neighborhood. A ‘gateway neighborhood’ shall be identified and defined from time to time a section of an established municipality that falls within a US Census tract that has been designated as New Market Tax Credit Eligible District.

SECTION XX. Said chapter 293 is hereby further amended by inserting in section 7 by inserting the following new subsection:-

(e) Not more than $50,000,000 shall be expended for transformative redevelopment projects in certified under section 11B, provided that 80 percent of the funds shall be expended for projects in gateway cities.”; and

By inserting after section 11 the following new section:-

“SECTION 11B. (a) Notwithstanding clause the third of subsection (c) of section 7 or any general or special law to the contrary, the secretary may certify a transformative redevelopment project and may authorize the agency to issue taxable or tax exempt short term bonds or bond anticipation notes equal to the amount of construction period sales and income tax revenue attributable to the project as certified by the secretary;

(b) Upon the certification of a transformative redevelopment project, the commonwealth acting by and through the secretary, the agency and developer shall enter into a transformative redevelopment project assistance agreement. In addition to any other requirements provided herein, or any rules, regulations or guidelines promulgated by the secretary of the department, the transformative redevelopment project assistance agreement shall at a minimum provide that (i) the developer shall construct the project before any bond or bond anticipation note is issued by the agency and (ii) the developer shall certify that the applicable sales and income taxes have been paid."
The amendment was adopted.
Ms. O'Connor Ives, Messrs. Downing, Montigny and DiDomenico, Ms. Lovely and Mr. Tarr moved to amend the proposed new text by inserting the following new section:-
"Section 40A. Clause (i) of paragraph (1) of subsection (b) of section 6J of said chapter 62 is hereby amended by adding the following sentence:- The Massachusetts historical commission shall ensure the award of tax credits pursuant to this section shall allow a taxpayer that acquires a qualified historic structure to receive any tax credits for qualified rehabilitation expenditures previously awarded to the transferor of such qualified historic structure if: (A) the rehabilitation was not placed in service by the transferor; (B) no credit has been claimed by anyone other than the acquiring taxpayer as verified by the department of revenue to the commission; (C) the taxpayer completes the rehabilitation and obtains certification as provided for in this section; and (D) the taxpayer conforms with all other requirements of this section. In the case of a multi-phase project, tax credits may be transferred for any phase that meets the criteria as described in clauses (A), (B), (C) and (D)."
After remarks, the amendment was adopted.
Ms. Creem moved to amend the proposed new text by adding at the end thereof the following three sections:
"SECTION__. The General Laws are hereby amended by inserting after Chapter 183B the following chapter:
CHAPTER 183C LANDOWNER'S TITLE PROTECTION ACT
Section 1. This chapter shall be known and may be cited as the Landowner's Title Protection Act.
Section 2. As used in this chapter, the following words shall, unless the context otherwise requires, have the following meanings:
'Decree', a decree, judgment or order of any court within the commonwealth including, but not limited to, a decree, judgment or order of the superior court or land court affecting an interest in land or a decree of judgment of the probate court allowing a will or appointing an administrator.
'Deed', any type of instrument of conveyance, except a mortgage or a tax taking by a municipality, including, but not limited to, a grant of easement, a warranty, quitclaim, release, foreclosure, fiduciary, or commissioner's deed, or a sheriff's deed or tax collector's deed recorded subsequent to foreclosure of the right of redemption; or a treasurer's deed of low value land held under tax title, which is recorded subsequent to recording of a decree establishing title pursuant to section 80B of chapter 60, and one year has elapsed after entry of the decree, or as to which a period of more than 20 years has elapsed after recording, in either case without any petition to vacate having been timely filed.
'Land', any parcel or tract of unregistered land in the commonwealth, together with any and all buildings and other improvements thereon unless such buildings or improvements are expressly excepted therefrom.
'Origin of title', a title transaction, other than a devise or probate court decree as to an intestacy or the allowance of a will, in the chain of title, containing language or, in the case of a decree, provisions sufficient to create or transfer the interest in land which forms the basis for the title to such land, and which was the most recent as of that date which is the beginning of the sufficiency period prior to the date on which the sufficiency is being determined.
'Recorded', recorded in the appropriate registry of deeds or filed in the appropriate registry of probate.
'Records', records of the registry of deeds for the county or district in which the land is located and of any registry of probate in the commonwealth.
'Sufficiency Period', fifty years, except in those cases where a longer period is required pursuant to the provisions of paragraph (b) of section 3.
'Title transaction', any transaction affecting title to any interest in land, including, but not limited to, any deed, grant, release, devise, instrument of taking by eminent domain, decree foreclosing redemption from a tax taking and other decree.
Section 3. (a) Any person having an interest in land, who has an unbroken chain of title to such interest for the sufficiency period or more, shall be deemed to have a good and clear record and marketable title to that interest, subject only to the provisions of section 4. An unbroken chain of title exists when the records disclose: (i) the origin of title; and (ii) nothing in the records within or subsequent to the origin of title which purports to divest the person claiming the interest.
(b) If, within fifty years preceding the date on which the sufficiency of title is being determined, there appear to have been no title transaction, other than a devise or probate court decree as to an intestacy or the allowance of a will, relating to such interest or the land it affects, the sufficiency period shall be seventy-five years.
Section 4. A good and clear record and marketable title shall be subject to:
(a) any interest or encumbrance that is created by a title transaction and is within the chain of title on or subsequent to the effective date of the origin of title.
(b) any interest or encumbrance which is created by a title transaction prior to the effective date of the origin of title only if the origin of title or subsequent recorded instrument specifically identifies either such prior interest or encumbrance or the instrument in the records wherein the interest or encumbrance was created, but a general reference to a title source such as 'for our title see', or 'said land is the same described in', or general phrases such as 'subject to any rights, easements, restrictions and other matters, of record' or words or phrases of similar import, shall not be deemed a 'specific identification therein' so as to preserve such interest or encumbrance;
(c) any right or easement granted to owners abutting private ways under section 5 of chapter 187;

(d) any right or easement granted, excepted or reserved by any instrument, if there is evidence of the existence of such right or easement beneath, upon or above any part of the land described in such instrument, whether or not observable on or above the ground;
(e) any right or easement granted, excepted or reserved by any instrument, if there is evidence of the use of such right or easement upon any part of the land;
(f) any interest or easement of any public utility corporation or any public service corporation organized and existing under chapter 158 or chapter 164;
(g) any reversionary interest of a lessor, or any interest of a successor of any lessor at the expiration of any lease;
(h) any interest of the United States, the commonwealth or any political subdivision, agency, authority or instrumentality of the commonwealth, including in land formerly used by railroads, whether there are recorded easements or not;
(i) the rights of any person arising from a twenty-year period of adverse possession or prescriptive use, which period was in whole or in part subsequent to the date of origin of title;
(j) conservation, preservation, agricultural preservation and affordable housing restrictions exempted under the provisions of clause (c) of the first paragraph of section 26 of chapter 184;
(k) any interest or instrument of record which has been created pursuant to section 6 of chapter 21E;
(l) any liens created pursuant to section 13 of said chapter 21E;
(m) any restriction, easement, condition or license held by any governmental body, as defined in section 26 of chapter 184, if the instrument imposing such restriction, easement, condition or license is duly recorded and indexed in the grantor index in the registry of deeds or registered in the registry district of the land court for the county or district wherein the land lies so as to affect its title, and describes the land by metes and bounds or by reference to a recorded or registered plan showing its boundaries; and
(n) all interests preserved in chapter 185.
Section 5. Except as provided in section 4, all interests, the existence of which depend upon any title transaction that occurred prior to the effective date of the origin of title, however denominated, whether legal or equitable, present or future, which interests may be asserted by any person, whether or not under a disability, including but not limited to all rights of redemption in the case of a taking or sale for the non-payment of real estate taxes, are hereby declared to be null and void with respect to the interest specified in section 3.
Section 6. Notwithstanding the foregoing, any person to whom a decree of confirmation under chapter 185 has been issued shall be deemed to have a good and clear record and marketable title as of the effective date of such decree, subject only to the matters set forth in such decree and the matters enumerated in section 46 of chapter 185.
Section 7. This chapter shall be liberally construed to effectuate the legislative purpose of simplifying and facilitating title transactions by allowing persons to rely on a record chain of title as described in section 3, subject only to such limitations as appear in section 4.
Section 8. Except as herein specifically provided, nothing herein shall be construed to change the period for bringing an action or for doing any other required act under any statute of limitations or to affect the operations of any statute governing the effect of the recording or the failure to record any instrument affecting land.
SECTION__. If the sufficiency period specified in section 3 of chapter 183C of the General Laws would expire prior to January 1, 2016, such period shall be extended so as to expire on January 1, 2016.
SECTION__. This act shall take effect January 1, 2015, and shall apply to instruments executed on, after and prior to said date."
The amendment was adopted.
Messrs. Brownsberger and Montigny moved to amend the proposed new text by adding the following new sections:-
"SECTION XX. Chapter 149 of the General Laws, as appearing in the 2006 Official Edition is hereby amended by inserting after section 24K the following section:-
Section 24L. (a) As used in this section, the following words shall have the following meanings:
'Employee': an individual who is considered an employee under section 148B of this chapter.
'Employee noncompetition agreement': an agreement between an employer and employee, or otherwise arising out of an existing or anticipated employment relationship, under which the employee or expected employee agrees that he or she will not engage in certain activities competitive with his or her employer after the employment relationship has ended. Employee noncompetition agreements include forfeiture for competition agreements, but do not include (i) covenants not to solicit or hire employees of the employer; (ii) covenants not to solicit or transact business with customers of the employer; (iii) noncompetition agreements made in connection with the sale of a business or substantially all of the assets of a business, when the party restricted by the noncompetition agreement is an owner of at least a five percent interest of the business who received significant consideration for the sale; (iv) noncompetition agreements outside of an employment relationship; (v) forfeiture agreements; (vi) nondisclosure agreements; (vii) invention assignment agreements; (viii) garden leave agreements; (ix) noncompetition agreements made in connection with the cessation of employment; or (x) agreements by which an employee agrees to not reapply for employment to the same employer after termination of the employee.
'Forfeiture agreement': an agreement that imposes adverse financial consequences on a former employee as a result of the termination of an employment relationship, regardless of whether the employee engages in competitive activities following cessation of the employment relationship. Forfeiture agreements do not include forfeiture for competition agreements.
'Forfeiture for competition agreement': an agreement that by its terms or through the manner in which it is enforced imposes adverse financial consequences on a former employee as a result of the termination of an employment relationship if the employee engages in competitive activities.
'Garden leave agreement': a type of employee noncompetition agreement by which an employer agrees to pay the employee

during the restricted period. To constitute a garden leave clause within the meaning of this section, the agreement must (i) provide for the payment, on a pro-rata basis during the entirety of the restricted period, of at least fifty percent of the employee's highest annualized base salary paid by the employer within the two years preceding the employee's termination and (ii) not permit an employer to unilaterally discontinue or otherwise fail or refuse to make the payments, even if the employer voluntarily shortens the restricted period.
'Restricted period': the period of time after the date of cessation of employment during which an employee is restricted by an employee noncompetition agreement from engaging in activities competitive with his or her employer.
(b) To be valid and enforceable, an employee noncompetition agreement must meet the minimum requirements of subsections (i) through (iii) hereof and meet or be capable of being reformed to meet the minimum requirements in subsections (iv) through (viii) hereof.
(i) The agreement must be in writing and signed by both the employer and employee and expressly state that the employee has the right to consult with counsel prior to signing.
(ii) The agreement must, to the extent reasonably feasible, be provided to the employee by the earlier of five business days before the commencement of the employee's employment or when any formal offer of employment is first made to the employee.
(iii) If the agreement is entered into after commencement of employment but not in connection with the separation from employment, it must be supported by fair and reasonable consideration in addition to the continuation of employment, and notice of the agreement must be provided at least ten business days before the agreement is to be effective. If the agreement is entered into in connection with the separation from employment of the employee, the agreement must expressly provide the employee with seven days to rescind acceptance.
(iv) The agreement must be necessary to protect one or more of the following legitimate business interests of the employer: (A) the employer's trade secrets, as that term is defined in section 1 of chapter 93K, to which the employee had access while employed; (B) the employer's confidential information that otherwise would not qualify as a trade secret; or (C) the employer's goodwill.
(v) The agreement must be reasonable in duration in relation to the interests protected and the duration of actual employment. A stated restricted period of no more than six months is presumptively reasonable.
(vi) The agreement must be reasonable in geographic reach in relation to the interests protected. A geographic reach that is limited to only the geographic area in which the employee, during any time within the last two years of employment, provided services or had a material presence or influence is presumptively reasonable.
(vii) The agreement must be reasonable in the scope of proscribed activities in relation to the interests protected. A restriction on activities that protects a legitimate business interest and is limited to only the specific types of services provided by the employee at any time during the last two years of employment is presumptively reasonable.
(viii) The agreement must be consonant with public policy.
(c) No employee noncompetition agreement shall be enforceable against an employee who is nonexempt under the Fair Labor Standards Act, 29 U.S.C. 201-219. This section does not render void or unenforceable the remainder of the contract or agreement containing the unenforceable noncompetition agreement, nor does it preclude the imposition of a noncompetition restriction by a court, whether through preliminary or permanent injunctive relief or otherwise, as a remedy for a breach of another agreement.
(d) Notwithstanding anything to the contrary in this section, a court may, in its discretion, reform an employee noncompetition agreement so as to render it valid and enforceable, provided, however, that a court may reform the duration, the scope of proscribed activities, and the geographic reach only if the provision to be reformed was either presumptively reasonable as set forth above or the employer made objectively reasonable efforts to draft the particular provision so that it would be presumptively reasonable as set forth above. Further, a court may decline to enforce some or all of the restrictions in an otherwise valid and enforceable employee noncompetition agreement where necessary to prevent injustice or an unduly harsh result, including those arising from the employee's economic circumstances, or based on any other common law or statutory legal or equitable defense or doctrine.
(e) No choice of law provision that would have the effect of avoiding the requirements of this section will be enforceable if the employee is, and has been for at least thirty days immediately preceding his or her cessation of employment, a resident of or employed in Massachusetts at the time of his or her termination of employment.
SECTION XXI. SECTION XX may be referred to as the Massachusetts Noncompetition Agreement Act and shall apply to employee noncompetition agreements entered into on or after January 1, 2015.
SECTION XXII. Notwithstanding any general or special law to the contrary, there shall be a special commission to study and report on the use and possible abuse of non-competition agreements in the Commonwealth. The commission shall consist of the secretary of housing and economic development, or a designee; 3 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 3 members of the senate, 1 of whom shall be appointed by the minority leader; and 6 commission members to be appointed by the governor: a representative of Associated Industries of Massachusetts; a representative of the Smaller Business Association of New England; a representative of the New England Venture Capital Association; a representative of the Massachusetts Biotechnology Council; a representative of the AFL-CIO of Massachusetts; and an expert on the law of non-competition agreements. The scope of the commission shall include, but not be limited to, researching and evaluating: (1) the use of non-competition agreements; (2) the possible abuse of non-competition agreements; and (3) recommendations to curb any such abuse and to strengthen the economy of the Commonwealth. The commission shall submit a final report of its findings and recommendations, together with drafts of legislation necessary to implement those recommendations, by filing the same with the clerks of the senate and house not later than October 1, 2015."
Pending the question on adoption of the amendment, at ten minutes past five o'clock P.M., Mr. Brownsberger doubted the

presence of a quorum.
The Chair (Mr. Rosenberg) determined that a quorum was present and the Senate proceeded to its business.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at a quarter before six o'clock P.M., on motion of Mr. Brownsberger, as follows, to wit (yeas 32 − nays 7) **[Yeas and Nays No. 386]:**

YEAS.

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

NAYS.

Chandler, Harriette L.	Ross, Richard J.
Hedlund, Robert L.	Spilka, Karen E.

Humason, Donald F., Jr. Tarr, Bruce E. – **7.**

Rodrigues, Michael J.

The yeas and nays having been completed at eleven minutes before six o'clock P.M., the amendment was adopted.
Messrs. Montigny, Lewis, DiDomenico and Tarr and Ms. O'Connor Ives moved to amend the proposed new text by inserting after section___, the following new sections:-
"SECTION ___. Section 6J of chapter 62 of the General Laws, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in lines 39-43, the sentence beginning with 'The Massachusetts historical commission' and inserting in place thereof the following:-
The Massachusetts historical commission shall administer and determine eligibility for the Massachusetts rehabilitation tax credit and allocate the credit in accordance with this section; provided, however, that the commission shall ensure the award of tax credits pursuant to this section will allow a taxpayer that acquires a qualified historic structure to receive any tax credits for qualified rehabilitation expenditures previously awarded to the transferor of such qualified historic structure if: (A) the rehabilitation was not placed in service by the transferor, (B) no credit has been claimed by anyone other than the acquiring taxpayer, (C) the taxpayer completes the rehabilitation and obtains certification as provided for in this section and (D) the taxpayer conforms with all other requirements created by this section. The Massachusetts historical commission may impose a fee to tax credit applicants that may be applied to the processing of applications and development of regulations for the certification of any rehabilitation under the provisions of this section.
SECTION ___. Said section 6J of said chapter 62 of the General Laws, as so appearing, is hereby further amended by striking out, in line 39, the figure '50,000,000' and inserting in place thereof the figure:- 60,000,000.
SECTION ____. Section 38R of chapter 63 of the General Laws, as appearing in the 2012 Official Edition, is hereby further amended by striking out, in lines 39-43, the sentence beginning with 'The Massachusetts historical commission' and inserting in place thereof the following:-
The Massachusetts historical commission shall administer and determine eligibility for the Massachusetts rehabilitation tax credit and allocate the credit in accordance with this section; provided, however, that the commission shall ensure the award of tax credits pursuant to this section will allow a taxpayer that acquires a qualified historic structure to receive any tax credits for qualified rehabilitation expenditures previously awarded to the transferor of such qualified historic structure if: (A) the rehabilitation was not placed in service by the transferor, (B) no credit has been claimed by anyone other than the acquiring taxpayer, (C) the taxpayer completes the rehabilitation and obtains certification as provided for in this section and (D) the taxpayer conforms with all other requirements created by this section. The Massachusetts historical commission may impose a fee to tax credit applicants that may be applied to the processing of applications and development of regulations for the certification of any rehabilitation under the provisions of this section.
SECTION ____. Said section 38R of said chapter 63, as so appearing, is further amended by striking out, in line 37, the figure '50,000,000' and inserting in place thereof the following figure:- 60,000,000."
The amendment was *rejected*.
Messrs. Pacheco, Rodrigues, Michael O. Moore, Joyce and Tarr moved to amend the proposed new text by inserting at the end thereof the following new section:-
"SECTION XX: SECTION 1. Section 150 of chapter 149 of the General Laws, as so appearing in the 2012 Official Edition, is hereby amended by inserting after the word 'fees', in line 30, the following words:- ; provided, however, that an aggrieved employee may not bring a civil action for overtime worked in a restaurant.
SECTION 2. Section 152A of said chapter 149, as so appearing, is hereby amended by inserting after the word 'responsibility', in line 8, the following words:- ; provided, however, that a supervisor in a quick service restaurant who customarily and regularly serves patrons or customers and whose job duties do not qualify him or her as an employee employed in a bona fide executive capacity as defined in 29 C.F.R. §§541.100 (a)(2)-(4)et seq., shall qualify as a wait staff employee for purposes of this section.
SECTION 3. Said section 152A of said chapter 149, as so appearing, is hereby further amended by inserting after the definition 'Patron' the following definition:- 'Quick service restaurant', a type of restaurant or similar establishment selling food or beverages where products are served to patrons primarily over a sales counter or a drive up window sales point, where there is minimal or no direct service to patrons seated at tables, and where employees are paid at least the minimum required hourly wage for non-service employees pursuant to section 1 of Chapter 151.
SECTION 4. Section 1A of chapter 151 of the General Laws, as so appearing, is hereby amended by striking out, in line 53, the subparagraph '(14) in a restaurant.'
SECTION 5. Section 1B of said chapter 151, as so appearing, is hereby amended by inserting after the word 'employer', in line 13, the following words:- ; provided, however, that an aggrieved employee may not bring a civil action for overtime worked in a restaurant.
SECTION 6. No employee who performs supervisory functions, but who is still eligible under Section 152A of Chapter 149 to participate in tip pooling, may receive a larger percentage per shift of the tips than any other participant."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at ten minutes before seven o'clock P.M., on motion of Mr. Pacheco, as follows, to wit (yeas 19 – nays 20) **[Yeas and Nays No. 387]:**

YEAS.

Brewer, Stephen M.	Joyce, Brian A.
Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Moore, Michael O.
Chang-Diaz, Sonia	Pacheco, Marc R.
Creem, Cynthia Stone	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Tarr, Bruce E.
Hedlund, Robert L.	Wolf, Daniel A. − **19.**
Humason, Donald F., Jr.	

NAYS.

Barrett, Michael J.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Richard T.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Petruccelli, Anthony
Eldridge, James B.	Rush, Michael F.
Jehlen, Patricia D.	Spilka, Karen E.
Keenan, John F.	Timilty, James E.
Kennedy, Thomas P.	Welch, James T. − **20.**

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

Mr. Kennedy moved to amend the proposed new text by striking out section 51 and inserting in place thereof the following section:-
"SECTION 51. Said section 12 of said chapter 138 is hereby further amended by inserting after the word 'antemeridian', in lines 130, and in line 134, the second time it appears, as so appearing, the following words:- , except in a city or town that is serviced by the Massachusetts Bay Transportation Authority's late-night service as authorized by chapter 161A if the local governing body of such city or town accepts this provision."; and by striking out section 54.
After remarks, the amendment was adopted.
Mr. Kennedy moved to amend the proposed new text in section 58, by inserting after the word "town", in lines 1261, 1264 and 1270, each time it appears, the following words:- ", except the city of Boston,"; in said section 58, in line 1261, by striking out the figure ", 15"; in said section 58, in proposed section 17 of chapter 138 of the General Laws, by adding the following 3 paragraphs:-
"The licensing board for the city of Boston may grant 692 licenses for the sale of all alcoholic beverages under section 12; provided, however, that no further original licenses under said section 12 shall be granted until the number of licenses outstanding thereunder shall have been reduced to less than 650 by cancellation or revocation or by the failure of holders of such licenses to apply for renewals and, thereafter, not more 650 licenses under said section 12 shall be granted. The board may grant 250 licenses for the sale of all alcoholic beverages under section 15. The number of licenses for the sale of wines and malt beverages only, or both, in the city under said section 15 shall not exceed 320. The transfer of existing licenses shall be subject to a public hearing in the neighborhood in which the license is to be relocated, properly advertised and at an appropriate time to afford that neighborhood an opportunity to be present.
The licensing board of the city of Boston may grant up to 45 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and up to 35 additional licenses for the sale of wines and malt beverages to drunk on the premises. Notwithstanding the first sentence, 5 of the additional all alcoholic beverages licenses shall be granted only to innholders duly licensed under chapter 140 to conduct a hotel and 10 of the additional all alcoholic beverages licenses shall be granted to existing holders of licenses for the sale of wines and malt beverages under section 12 provided that those licensees return to the licensing board, the licenses that they currently hold. The remaining licenses for the sale of all alcoholic beverages to be drunk on the premises and the 35 additional licenses for the sale of wines and malt beverages to be drunk on the premises shall be granted in the areas designated by the Boston Redevelopment Authority as main street districts, urban renewal areas, empowerment zones or municipal harbor plan areas. Once issued to a licensee in a Boston Redevelopment Authority designated area, the licensing board shall not approve the transfer of that license to a location outside of the designated area. A license granted pursuant to this paragraph shall be nontransferable to any other person, corporation or organization and shall be clearly marked nontransferable on its face. A license issued under this paragraph, that is cancelled, revoked or no longer in use, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing board and the licensing board may then grant that license to a new applicant consistent with the criteria set forth in this paragraph if the applicant files with the licensing board a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid.
In addition to the licenses granted pursuant to the preceding 2 paragraphs, the licensing board of the city of Boston may grant up to 20 additional licenses for the sale of all alcoholic beverages to be drunk on the premises and up to 5 additional licenses for the sale of wines and malt beverages to be drunk on the premises under section 12. A license granted pursuant to this paragraph shall be nontransferable to any other person, corporation or organization and shall be clearly marked 'nontransferable' on its face. A license issued under this paragraph, if cancelled, revoked or no longer in use at the location of original issuance, shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto, to the licensing board which may then grant that license to a new applicant under the same conditions as specified in this paragraph if the applicant files with the licensing board a letter from the department of revenue and a letter from the department of unemployment assistance indicating that the license is in good standing with those departments and that all applicable taxes, fees and contributions have been paid." ;
By inserting after section 58 the following 8 sections:-
"SECTION 58A. The sixth paragraph of said section 17 of said chapter 138, as appearing in section 58, is hereby amended by striking out the figure '45' and inserting in place thereof the following figure:- 65.
SECTION 58B. Said sixth paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure '65', inserted by section 58A, and inserting in place thereof the following figure:- 85.
SECTION 58C. Said sixth paragraph of said section 17, as appearing in section 58, is hereby by striking out the figure '35', each time it appears, and inserting in place thereof, in each instance, the following figure:- 40.
SECTION 58D. Said sixth paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure '40', inserted by section 58C, each time it appears, and inserting in place thereof, in each instance, the following figure:- 45.
SECTION 58E. The first sentence of the last paragraph of said section 17 of said chapter 138, as appearing in section 58, is hereby amended by striking out the figure '20' and inserting in place thereof the following figure:- 40.
SECTION 58F. Said first sentence of said last paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure '40', inserted by section 58E, and inserting in place thereof the following figure:- 60.
SECTION 58G. Said first sentence of said last paragraph of said section 17 of said chapter 138, as appearing in section 58, is hereby amended by striking out the figure '5' and inserting in place thereof the following figure:- 10.
SECTION 58H. Said first sentence of said last paragraph of said section 17 of said chapter 138 is hereby further amended by striking out the figure '10', inserted by section 58G, and inserting in place thereof the following figure:- 15.";
By inserting after section 61 the following 2 sections:-

“SECTION 61A. Chapter 291 of the acts of 1906 is hereby amended by striking out section 1 and inserting in place thereof the following section:-
Section 1. The mayor of the city of Boston shall appoint 3 residents of the city of Boston who shall constitute a licensing board for the city and who shall be sworn to the faithful performance of the duties of their office before entering the same.
The members of the board shall not be in the employ of any person or corporation engaged in the manufacture or sale of alcoholic beverages or in any way, directly or indirectly, pecuniarily interested in the manufacture or sale of alcoholic beverages or in any business which requires a license to be issued by the licensing board. If any member of the board engages directly or indirectly in the manufacture or sale of alcoholic beverages, the member’s office shall immediately become vacant.
One member of the board shall be designated by the mayor to serve as chair and 2 members shall constitute a quorum. Board members shall serve 6-year terms, staggered such that they expire every 2 years on the first Monday of June. Upon the expiration of the term of any member of the board, the mayor shall appoint a successor for the term of 6 years. Vacancies on the board shall be filled by the mayor for the remainder of the unexpired term. The members of the board may be removed by the mayor for cause, after charges preferred, reasonable notice thereof and a hearing thereon; provided, however, that the mayor shall, in the order of removal, state the mayor’s reasons therefor. A member of the board may appeal such a removal notice in accordance with section 5 of chapter 138 of the General Laws. The board shall appoint a secretary, who shall be exempt from the civil service law, who shall be sworn to the faithful performance of the duties of the secretary’s office. The secretary shall keep a record of all proceedings of the board, issue all notices and attest such papers and orders as the board shall direct. The secretary’s term of office shall be 6 years; provided, however, that the secretary may be removed by the board for such cause as the board shall deem sufficient. Such cause shall be stated in the board’s order of removal.
SECTION 61B. Said chapter 291 is hereby further amended by striking out section 5 and inserting in place thereof the following section:-
Section 5. The licensing board of the city of Boston shall keep a record of its doings and hearings and shall make a quarterly report of its doings to the mayor. The board may require any statement which may be made before it and any papers which may be filed with it relative to applications for licenses to be sworn to and, for such purposes, any member may administer oaths.”; and
By inserting after section 81 the following section:-
“SECTION 81A. Notwithstanding section 61A, on the effective date of this section, the mayor of the city of Boston may reappoint or replace the incumbent members of the licensing board of the city of Boston for the remainder of the unexpired terms of such members.
SECTION 18. The fifth, sixth and seventh paragraphs of section 17 of chapter 138 of the General Laws, as appearing in section 58, shall take effect on September 1, 2014.
SECTION 19. Sections 58A, 58C, 58E and 58G shall take effect on September 1, 2015.
SECTION 20. Sections 58B, 58D, 58F and 58H shall take effect on September 1, 2016.
SECTION 21. Sections 61A, 61B and 81A shall take effect upon their passage."
After remarks, the amendment was adopted.
Messrs. Tarr, Timilty, Michael O. Moore and Richard T. Moore moved to amend the proposed new text by inserting after section__, the following new section:-
“SECTION__. Notwithstanding any general or special law to the contrary, for the days of August 8, 2015 and August 9, 2015, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
Notwithstanding any general or special law to the contrary, for the days of August 8, 2015 and August 9, 2015, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 8, 2015 and August 9, 2015. An excise erroneously or improperly collected during the days of August 8, 2015 and August 9, 2015, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications, tobacco products subject to the excise imposed by chapter 64C of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of $2,500.
Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 8, 2015 and August 9, 2015.
On or before December 31, 2015, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.
The commissioner of revenue shall issue instructions or forms, or promulgate rules or regulations, necessary for the implementation of this act.
Eligible sales at retail of tangible personal property under paragraphs 1 and 2 of this section are restricted to those transactions occurring on August 8, 2015 and August 9, 2015. Transfer of possession of or payment in full for the property shall occur on 1 of

those days, and prior sales or layaway sales shall be ineligible."
After remarks, the amendment was *rejected*.
Mr. Pacheco moved to amend the proposed new text in section 2A, line item 7002-1506 by adding after the words "collaborative workspaces" the following:- " provided further however that no less than $50,000 shall be expended for the start-up operational costs for the Life Sciences, education and training center located at the former Paul A. Dever State School in the City of Taunton established by Chapter 130 of the Acts 2008;"; and by striking out the figures "10,000,000" and inserting in place thereof the figures:- " $10,050,000".
The amendment was adopted.
Ms. Spilka moved to amend the proposed new text by inserting at the end thereof following section:-
"The Massachusetts advanced manufacturing collaborative shall conduct an analysis of the manufacturing supply chain in the commonwealth. The analysis shall: (1) identify the strengths and weaknesses of the supply chain in Massachusetts; (2) identify areas of the supply chain that are currently underserved by Massachusetts suppliers; and (3) offer recommendations to improve the commonwealth's supply chain capabilities. The collaborative shall file a report of its findings and recommendations, if any, with the joint committee on economic development and emerging technologies, and the clerks of the senate and house of representatives not later than March 31, 2015."
The amendment was adopted.
Ms. Spilka and Mr. Michael O. Moore moved to amend the proposed new text in section 2A, by inserting after item 7002-1512, the following item:-
"7003-0803 For the One-stop Career centers; provided that $5,000,000 shall be used for employment placement programming to assist the long-term unemployed.. $5,000,000".
The amendment was *rejected*.
Ms. Spilka and Mr. Michael O. Moore moved to amend the proposed new text by striking section 34 and inserting in place there of the following section:
"SECTION XX. Chapter 29, as so appearing, is hereby amended by inserting after section 2KKKK the following section:
Section 2LLLL. (a) There shall be established and set upon the books of the commonwealth a separate fund to be known as the Advanced Manufacturing, Technology and Hospitality Training Trust Fund, hereinafter called the fund. The objective of the fund is to establish and support training and education programs that address the workforce shortages of the advanced manufacturing, mechanical and technical skills, hospitality, and information technology industries in the commonwealth with the goal of training 4000 workers in four years to help meet the workforce and talent pipeline needs of employers. The fund shall be administered by the commonwealth corporation in consultation with the executive office of housing and economic development, executive office of labor and workforce development, department of higher education and the Massachusetts technology collaborative; commonwealth corporation shall make expenditures from the fund, without further appropriation; provided, however, that not more than 10 per cent of the amount held in the fund in any 1 year shall be used by commonwealth corporation for the combined cost of program administration, technical assistance to grantees and program evaluation.
(b) Monies in the fund shall be expended on programs that have at least one of the following purposes, with a focus on aligning expenditures with industry needs:
(1) identify, support or establish, collaborative regional partnerships, including but not limited to, employers, workforce development and education organizations, regional economic development organizations established under sections 3J and 3K of chapter 23A, and economic development officials in every region of the state where manufacturers have a presence or where the mechanical and technical, hospitality or information technology industries and related occupations demonstrate demand;
(2) address critical workforce shortages in advanced manufacturing, mechanical and technical positions, hospitality or information technology;
(3) improve employment in the manufacturing, mechanical and technical, hospitality or information technology industries for low-income individuals, women and minorities;
(4) provide training, educational or career ladder services for currently employed or unemployed manufacturing and information technology workers who are seeking new positions or responsibilities within the manufacturing, mechanical and technical, hospitality or information technology industries;
(5) develop strong career awareness and advising programs for kindergarten through grade 12, postsecondary, disconnected youth, underemployed workers and unemployed adults;
(6) increase support for internship and apprentice training;
(7) boost industry-relevant instructor capacity for high school and postsecondary programs; and
(8) direct support for succession planning, worker retention and up-skilling strategies for older and incumbent workers.
(c) Commonwealth corporation shall establish a competitive grant process for funds expended on programs under subsection (b). Eligible applicants shall include: employers and employer associations; local workforce investment boards; labor organizations; joint labor-management partnerships; community-based organizations; institutions of higher education; kindergarten through grade 12 and vocational education institutions; private for-profit and non-profit organizations providing education and workforce training, one-stop career centers; local workforce development entities; and any partnership or collaboration between eligible applicants. Expenditures from the fund for such purposes shall complement and not replace existing local, state, private, or federal funding for training and educational programs.
(d) A grant proposal submitted under subsection (c) shall include, but not be limited to:
(1) a plan that defines specific goals for advanced manufacturing, mechanical and technical, hospitality or information technology workforce training and educational improvements;

(2) the evidence-based programs the applicant shall use to meet the goals;
(3) a budget necessary to implement the plan, including a detailed description of any funding or in-kind contributions the applicant or applicants will be providing in support of the proposal;
(4) any other private funding or private sector participation the applicant anticipates in support of the proposal; and
(5) the proposed number of individuals who would be enrolled, complete training and be placed into employment in the targeted industries.
(e) Commonwealth corporation shall, in consultation with the executive office of housing and economic development, executive office of labor and workforce development, department of higher education and the Massachusetts technology collaborative, develop guidelines for an annual review of the progress being made by each grantee. Each grantee shall participate in any evaluation or accountability process implemented by or authorized by the commonwealth corporation. The commonwealth corporation shall file annual reports for the duration of the programs with the chairs of the house and senate committee on ways and means, the chairs of the joint committee on labor and workforce development, and, the chairs of the joint committee on economic development and emerging technologies, on or before January 1; provided further, the report shall include an overview of the activities of the programs, the number of participants in the programs, and the employment outcomes in the programs."
The amendment was adopted.
Mr. Welch moved to amend the proposed new text by adding at the end thereof, the following new section:-
"SECTION XX. Chapter 138 of the General Laws is hereby amended in section 15 by inserting at the end thereof the following:- '; provided, however, any person or entity who holds licenses under both this section and section 18 or 19, which licenses were granted prior to January 1, 2011, shall be entitled to obtain licenses under this section in accordance with the other provisions of this section'."
After remarks, the amendment was adopted.
Mr. Welch and Ms. Candaras moved to amend the proposed new text in section 2A, in line item 7002-1506, by inserting after the word "workspaces" the following words:- "; provided further not less than $1,000,000 shall be expended for the restoration, renovation and design of the Pynchon Building located in the city of Springfield"; and by striking out the figures "$10,000,000" and inserting in place thereof the figures "$11,000,000".
The amendment was adopted.
Mr. Joyce moved to amend the proposed new text in section 2, in item 7002-1510, by striking out the figure "35,000" and inserting in place thereof the following figure:- "30,000".
After remarks, the amendment was adopted.
Messrs. Joyce and Keenan moved to amend the proposed new text by inserting after section 51, the following section:-
"SECTION 51A. Section 12 of said chapter 138, as amended by section 16 of chapter 36 of the acts of 2013, is hereby further amended by adding the following 4 paragraphs:-
All licenses issued under this section pursuant to a new license application that is filed after January 1, 2015 shall be non-transferable and a licensing authority shall not approve the transfer of such license.
If the license granted under this section is cancelled, revoked or no longer in use by the license holder, the license shall be returned physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority. If a license holder closes or terminates the license holder's business, or sells or transfers the license holder's business, the license holder shall return the license physically, with all of the legal rights, privileges and restrictions pertaining thereto to the licensing authority. The licensing authority may then in its discretion grant a license to a qualified new applicant at a different location according to the standard for a new license.
A license may be re-issued by the licensing authority at the same location only if an applicant for the license files with the local licensing authority a letter from the department of revenue and any applicable government agency indicating that the license is in good standing with the department and agency and that all applicable taxes, payments, assessments and contributions for unemployment and health insurance have been paid. If a license is granted under this section then cancelled, revoked or no longer in use, and then re-issued to a new applicant at the same location and the prior license holder at that location was reported as delinquent as specified in section 25, the name of the new license applicant shall appear in the place and stead of the former license holder, as of the date of the new license being issued, unless the alcoholic beverages control commission otherwise orders in writing, for good cause, after a hearing with notice to all parties."
After remarks, the amendment was adopted.
Mr. Humason moved to amend the proposed new text in section 2A, by inserting after item 7002-1202 on line 118 the following new item:
"7007-0801 For microlending grants of up to $500,000 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 ……………………$1,000,000".
The amendment was *rejected*.
Mr. Ross moved to amend the proposed new text in section 66, by inserting at the end thereof the following:- "All reports shall be made available on the information technology division's website."
After remarks, the amendment was *rejected*.
Mr. Tarr moved to amend the proposed new text by inserting in section 2A, by inserting after item 7002-1512, the following item:

"xxxx-xxxx For the Community Development Fund established in section xxx of chapter 23G of the General Laws; provided, that not more than $2,000,000 shall be used to promote incubator workspaces and development of artist colonies…………………… $10,0000,000"; and by inserting after section ___, the following new sections:-

"SECTION __. Section 1 of Chapter 23G, as appearing in the 2012 official edition, is hereby amended by inserting after the definition of 'Bonds' the following definition:-

'Community development', redevelopment on a scale and character capable of catalyzing significant follow-on private investment, leading over time to transformation of an entire downtown or urban neighborhood and consistent with local plans; provided, that 'community development' may involve major investment in new construction, rehabilitation and adaptive reuse or multiple smaller investments on a sustained basis.

SECTION ___. Said chapter 23G is hereby further amended by adding the following section:-

Section xxx. (a) There shall be established and set up on the books of the commonwealth a Commonwealth Development Fund within the Massachusetts Development Finance Agency. In carrying out its duties under this section, the agency may utilize the fund as provided in this section to make equity investments and provide technical assistance to revitalize and support residential, commercial, industrial and institutional development, or any combination thereof, and to provide financial assistance to promote the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations in municipalities. The fund shall be administered and managed by a fund director who shall be appointed by the executive director of the agency. The agency may adopt guidelines necessary to implement the program. The fund may coordinate with other agencies and instrumentalities of the commonwealth to effectuate this section.

(b) The liabilities and obligations of the fund shall not extend beyond the monies which are deposited in the fund and shall not constitute a debt or pledge of the faith and credit of the commonwealth or any political subdivision of the commonwealth.

(c) Monies in or received for the fund may be deposited with and invested by any institution designated by the treasurer of the agency at the sole discretion of the treasurer and paid as the fund director shall direct. Any return on investment received by the fund as a result of the deposits and the agency's equity investments shall be deposited and held for the use and benefit of the fund. The treasurer may make payments from the deposit accounts for use under this section. The agency may be reimbursed annually from the fund for all reasonable and necessary direct costs and expenses incurred with its administration, management and operation of the fund, including reasonable staff time, out-of-pocket expenses and administrative costs.

(d) The fund may apply for and accept subventions, grants, loans, advances and contributions from any source of money, property, labor or other things of value to be held, used and applied in furtherance of this section.

(e) The agency shall use the fund to make equity investments in property that the agency has determined has the potential to constitute community development in a municipality. With respect to any property acquired by the fund, the agency may pledge its ownership interest, physical assets held by the ownership entity or any portion of the anticipated gross revenue resulting from the equity investments of the fund to secure loans related to development of the property. The agency may not cross-collateralize the fund's investments in the property.

(f) The fund director shall allocate a portion of the original capitalization of the fund, not to exceed 20 per cent, to provide technical assistance to revitalize and support development in municipalities by utilizing any of the following methods of providing technical assistance: (i) grants to support the hiring of professional staff or professional services by a municipality or any instrumentality of the municipality; (ii) reimbursement for professional staff employed by the agency and embedded in a municipality; (iii) grants to pay for third-party professional services managed by the agency; and (iv) any other variation on the provision of technical assistance consistent with this section.

(g) At its discretion, the agency may allocate the fund's technical assistance through a competitive process using criteria that include, without limitation, the existence of a long-term economic development strategy, commitment to effective use of the agency's technical assistance by the municipality and other local partners and the potential for community development in the municipality.

(h) The fund director shall allocate a portion of the original capitalization of the fund to support the development in municipalities of the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations to spur innovative and creative business growth and economic activity and assist with the redevelopment of underutilized buildings. The program shall: (i) promote the following including but not limited to creation of collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations by providing financial assistance for capital investments in underutilized buildings; (ii) foster collaboration and linkages among innovative and creative enterprises by providing central locations for such businesses or individuals to work in an environment designed to promote sharing of resources, experience and expertise; (iii) support partnerships among municipalities, property owners and businesses to establish collaborative workspaces, incubator workspaces, artist colonies and downtown revitalizations; and (iv) require a collaborative workspace, incubator workspace, artist colony and downtown revitalization to provide shared space which promotes the interaction, socialization and coordination among tenants through the clustering of multiple businesses or individuals within the collaborative workspace. The agency shall, through grants, contracts or loans, administer the program for the purpose of facilitating a collaborative and co-working space to address a regional market demand for affordable work environments that support communication, information sharing and networking opportunities.

(i) Loans or grants made under this program may be made to property owners or the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalization operators for building improvements which shall be utilized by the collaborative workspace participants provided that the use of the fund results in corresponding private investment that matches or exceeds the grants from the fund. In the case of a grant, any participating property owner or collaborative workspace operator shall at least match the investment of the fund. In the case of a loan, the

agency shall reasonably anticipate that its loan will leverage additional private investment in the property.
(j) The agency shall solicit applications for financial assistance that promote the following including but not limited to collaborative workspaces, incubator workspaces, artist colonies, and downtown revitalizations through a request for proposals. The agency shall establish criteria for the submission of applications; provided, however, that the applications shall include, but need not be limited to: (i) a description of the parties involved in the project, including the professional expertise and qualifications of the principals; (ii) a description of the scope of work that shall be undertaken by each party involved in the project; (iii) the proposed budget, including verification of funding from other sources; (iv) a statement of the project objective, including specific information on how the project shall promote the use of the space as collaborative and shared space; (v) a statement that sets forth the implementation plan, the facilities and resources available or needed for the project and the proposed commencement and termination dates of the project; (vi) a description of the expected significance of the project, including a description of the market demand for the type of workspace proposed in the region that the space shall be located and the number of businesses or individuals that shall be served as a result of the project; and (vii) any other information that the agency shall consider necessary. The agency shall also establish guidelines for the review and approval of applications that include preferences for proposals that: (A) redevelop at least 10,000 square feet in existing properties located in the downtown area of a municipality; (ii) dedicate at least 25 per cent of accessible space to use; and (iii) support a cluster of at least 15 separate occupants.
(k) The agency shall enter into an agreement with each collaborative workspace, incubator workspace, or artist colony operator that receives a grant or loan or enters into a contract under this section regarding: (i) performance measures and indicators that shall be used to evaluate the performance of the collaborative workspace operator in carrying out the activities described in the application; and (ii) any other indicators determined to be necessary to evaluate the performance of the eligible entity. Each collaborative workspace, incubator workspace or artist colony operator shall submit an annual report for the agency's review for the duration of the collaborative workspace operation. The agency shall enter into an agreement with each property owner that receives a grant or loan or enters into a contract under this section regarding the use of funds and the time frame for the use of funds.
(l) The agency shall identify and maintain a list of redevelopment projects within municipalities with the greatest potential to provide substantial local economic growth, job creation, neighborhood revitalization or abandoned and underutilized property reuse. In its investigation, the agency shall prioritize redevelopment projects that may commence promptly after identification. The agency shall outline the economic opportunities at the project sites, describe marketable site uses and describe the benefits of investing in the redevelopment project. The agency shall also describe current impediments facing each identified redevelopment project and outline particular policies and programs in place that provide technical assistance, financing options, permitting aid or any other incentives to pursue redevelopment options.
(m) The agency shall, in coordination with the executive office of housing and economic development, submit an annual report to the clerks of the senate and house of representatives who shall forward the report to 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 by December 31. The report shall include a current assessment of the progress of each project funded through the collaborative workspace program and the progress of the participants in the program.
SECTION__. Notwithstanding any general or special law to the contrary, not later than July 1, 2015 and without further appropriation, the state comptroller shall transfer $10,000,000 from the General Fund to the Community Development Fund established in section xxx of chapter 23G of the General Laws.
SECTION __. Notwithstanding any general or special law to the contrary, not later than July 1, 2016 and without further appropriation, the state comptroller shall transfer $10,000,000 from the General Fund to the Community Development Fund established in section xxx of chapter 23G of the General Laws."
After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes before eight o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 8 − nays 30) **[Yeas and Nays No. 388]**

YEAS.

Barrett, Michael J.	Moore, Richard T.
Hedlund, Robert L.	Ross, Richard J.
Kennedy, Thomas P.	Tarr, Bruce E.
Moore, Michael O.	Timilty, James E. − **8.**

NAYS.

Brewer, Stephen M.	Jehlen, Patricia D.
Brownsberger, William N.	Joyce, Brian A.
Candaras, Gale D.	Keenan, John F.
Chandler, Harriette L.	Lewis, Jason M.
Chang-Diaz, Sonia	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Welch, James T.
Humason, Donald F., Jr.	Wolf, Daniel A. − **30.**

ABSENT OR NOT VOTING.

Petruccelli, Anthony − **1.**

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

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.

Mr. Montigny moved to amend the proposed new text in section 2A, in item 7002-1510, by adding the following words at the end thereof:- "provided further, that not less than $100,000 shall be expended for AHA! Arts, History & Architecture, New Bedford and Zeiterion Theatre, Inc. in consultation with the New Bedford Whaling Museum and New Bedford Art Museum / Art

Works to foster economic development in the fields of arts & culture in the downtown/seaport cultural district of New Bedford to plan, promote and host a performance of the Boston Pops Orchestra in New Bedford or other significant civic events so as to advance economic development and tourism in the downtown/seaport cultural district"; and by striking out the figures "1,500,000" and inserting in place thereof the figures "1,600,000".
After remarks, the amendment was adopted.
Mr. Rosenberg moved to amend the proposed new text by inserting the following new section:-
"SECTION X. The town of Montague may utilize the provisions of General Law Chapter 40Q to develop telecommunications and broadband infrastructure in partnership with the town of Leverett."
The amendment was adopted.
Mr. Brewer moved to amend the proposed new text by inserting after the word "2A.", the following words:-
"EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE
Reserves.
1599-0026 For municipal improvements; provided, than not less than $100,000 shall be expended to commission a study of economic development and feasibility on the Monson Developmental Center located at 200 State avenue in the town of Monson; provided further, that not less than $100,000 shall be expended to commission a study of economic development and feasibility on state highway route 32, Thorndike street, in the town of Palmer; and provided further, that not less than $1,000,000 shall be expended for the continued construction and development at the North Quabbin Business Park…………………… $1,200,000";
In said section 2A, in item 7002-1506, by striking out the figure "$10,000,000" and inserting in place thereof the following figure:- "$11,050,000"; and
In said section 2A, in item 7002-1510, by striking out the figure "$1,500,000" and inserting in place thereof the following figure:- "$1,850,000"; and
In said section 2A, by inserting before item 7008-1015, the following item:-
"7008-0900 For support of municipal theatres and festivals; provided, that not less than $50,000 shall be expended for the Berkshire Theatre Group to complete renovations to the warehouse space adjacent to the Colonial Theatre in the city of Pittsfield to establish a meeting and convention center; provided further that not less than $500,000 shall be expended for the Outside the Box festival in the city of Boston; and provided further, that $215,000 shall be expended to the Pilgrim Hall Museum in the town of Plymouth for the restoration of Landing of the Pilgrims painted by Henry Sargent……………………$765,000"; and
By striking out section 5 and inserting in place thereof the following section:-
"SECTION 5. Chapter 15A of the General Laws is hereby amended by inserting after section 15F the following section:-
Section 15G. (a) The department of higher education shall assess stackable credentials offered at community colleges, state universities and the University of Massachusetts campuses and, in collaboration with the public higher education institutions and regional workforce organizations, shall: (i) identify best practices to be shared and replicated across campuses to provide a clear and accessible path for students seeking to advance their education through workforce training and preparation; (ii) establish guidelines and standards for earning stackable credentials through workforce development or career and technical education; (iii) identify and implement stackable programs on campuses where further needs exist; and (iv) disseminate information on stackable education pathway opportunities with regional workforce agencies. For the purposes of this section, 'stackable credential' shall mean a credential earned through an education, training or apprenticeship program while attending an institution of higher education which is designed to be part of a pathway for students that, along with other stackable credentials, cumulatively leads to a degree or industry specific skills certification. The department shall prioritize this effort in the areas of advanced manufacturing and information technology. The department may base credentials on competency, workforce or apprentice experience or workforce preparation. In developing criteria for credentials, the department shall consult with regional employment boards, career and technical education entities, community colleges, state universities, the University of Massachusetts, chambers of commerce, the Massachusetts Technology Park Corporation doing business as the Massachusetts Technology Collaborative, the Massachusetts Life Sciences Center and trade associations.
(b) Stackable credentials shall be available across the commonwealth and administered through public higher education institutions; provided, however, that public higher education institutions shall: (i) develop programs responsive to industry needs based on current regional labor market data; (ii) implement the programs in a manner that ensures interconnection of competencies offered in specialized training programs; and (iii) determine transferability of credentials for college credit.";
By striking out section 51;
In section 58, by inserting after the word "licenses", in line 1263, the following words:- "; provided, that for licenses issued under section 15, cities and towns, except the city of Boston, may grant 1 such license for each population unit of 5,000 or any additional fraction thereof but may, regardless of population, grant at least 2 licenses under section 15";
By inserting after section 61 the following section:-
"SECTION 61A. Said chapter 159 is hereby further amended by inserting after section 19E the following section:-
Section 19F. (a) Notwithstanding section 19, a common carrier furnishing service described in clause (d) of section 12 may post on its website the rates, terms and conditions of any retail service it offers, renders or furnishes within the commonwealth. Section 19 shall not apply to any such retail service so posted and no such common carrier shall be required to file with the department or obtain department approval of any schedule for such service. No such common carrier shall, except as otherwise provided in this chapter, charge, demand, exact, receive or collect a rate in excess of the rate posted to its website under this paragraph. Upon written notice to the department, such common carrier may withdraw any schedule, contract or agreement previously filed with the department under section 19 for any such retail service so posted under this paragraph. This subsection shall not apply to a rural telephone company as defined in 47 U.S.C. § 153 except upon approval of the department. Nothing in

this section shall affect the authority of the department (i) to require 30 days' notice to any affected consumer of any increase in rates for retail services so posted; (ii) to require its prior approval of any increase in rates for residential basic exchange service offered by an incumbent local exchange carrier, as defined in 47 U.S.C. § 251(h); (iii) under sections 13, 14 and 20; or (iv) over switched access or wholesale services.
(b) Common carriers shall electronically notify the department on the same business day of posting any change in rates and terms or conditions for a retail service posted under this section and not subject to section 19, unless the department exempts a common carrier from this subsection.";
In section 77, by striking out, in lines 1485 and 1486, the words "not later than July 1, 2015 and without further appropriation" and inserting in place thereof the following words:- "on July 1, 2015";
In section 78, by striking out, in line 1489 and 1490, the words "not later than July 1, 2016 and without further appropriation" and inserting in place thereof the following words:- "on July 1, 2016"; and
In section 79, by striking out, in line 1493, the figure "68" and inserting in place thereof the following figure:- "70".
After remarks, the amendment was adopted.
The Ways and Means amendment, as amended, was then adopted.
The bill (House, No. 4181), as amended, was then 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 sixteen minutes before eight o'clock P.M., on motion of Ms. Candaras, as follows, to wit (yeas 37 − nays 1) **[Yeas and Nays No. 389]:**

YEAS.

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

Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. − **37.**
Keenan, John F.	

NAYS.

Hedlund, Robert L. − **1.**

ABSENT OR NOT VOTING.

Petruccelli, Anthony − **1.**

The yeas and nays having been completed at thirteen minutes before eight o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendment [For text of Senate amendment, see Senate, No. 2241].
Sent to the House for concurrence in the amendment.

Order Adopted.

On motion of Ms. Spilka,--
Ordered, That when the Senate adjourns today, it adjourn to meet again on Thursday 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 Chair (Mr. Rosenberg), the members, guests and staff stood in a moment of silence and reflection to the memory of James Coakley.

Adjourn In Memory of James Coakley

The Senator from Suffolk and Norfolk, Mr. Rush, moved that when the Senate adjourns today, it do so in memory of James Coakley.
James Coakley passed away June 4, 2014, at the age of 92.
A native of Roslindale, James served his country in the Navy during World War II, serving on the USS Fanning, beginning in 1942. Following his service James joined the Boston Fire Department in 1945, retiring after 41 years of faithful service to Ladder 4 and the Arson unit. James was a part of many historic events in the city of Boston, including the 1972 Hotel Vendome fire, and was recognized for his heroism for acts he performed on December 26, 1964, in Roxbury. James constantly gave back to the city of Boston; he was an active member of the Disabled American Veterans (DAV) and a life member of the Veterans of Foreign Wars (VFW).
Loving husband of the late Rhoda, father of 6, grandfather of 10, great grandfather of 2, brother of 4 and uncle to several nieces and nephews, he will be sorely missed.
Accordingly, as a mark of respect in memory of James Coakley, at eleven minutes before eight o'clock P.M., on motion of Mr. Richard T. Moore, the Senate adjourned to meet again on Thursday next at eleven o'clock A.M.