

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

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Wednesday, July 30, 2014.

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

Distinguished Guests.

There being no objection, the President handed the gavel to Ms. Lovely for the purpose of an introduction. Ms. Lovely then introduced, in the rear of the Chamber, a group of young North Shore residents who were recognized for having placed in the National History Day Academic Contest. These students have chosen historical topics and then conducted extensive primary and secondary research, culminating in original papers, websites, exhibits, performances and documentaries. Among the group were Liz Perrotta and Laura Jennings from Hamilton, who won a 2nd Place Senior Group Documentary Award; Mary Joens from Beverly, who won a 1st Place Senior Individual Website Award; and Harrison O'Brien from Hamilton, who won a Lee Allen History of Baseball Award. The Senate applauded their accomplishments and they withdrew from the Chamber. They were also guests of Senator Tarr who also welcomed them from the Rostrum.

There being no objection, the President handed the gavel to Ms. Forry for the purpose of an introduction. Ms. Forry then introduced, in the rear of the Chamber, a group of students from the Mattahunt Wheelock Partnership at the Mattahunt Community Center in Mattapan. These students are part of the Center's PUSH Academy, an interactive summer learning program designed to provide youth with the skills necessary to become productive and effective students. The Senate welcomed them with applause and they withdrew from the Chamber. They were accompanied by Boston area high school students who are interning at the State House in Senator Forry's office. They were also guests of Representative Cullinane.

Report.

Report of the committee on Post Audit and Oversight (pursuant to Section 63 of Chapter 3 of the General Laws, as most recently amended by Chapter 557 of the Acts of 1986) submitting a report entitled: Fulfilling Their Mandates: A Review of Massachusetts State Boards & Commissions (Senate, No. 2317) (received Tuesday, July 29, 2014),-- **was placed on file.**

Reports of Committees.

By Mr. Eldridge, for the committee on Housing, on petition (accompanied by bill, Senate, No. 604), a Resolve to create a commission to study ways to prevent bullying of tenants in public and subsidized multi-family housing (Senate, No. 2329); **Read and, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.**

By Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, that the Senate Bill to authorize the leasing of the Leo J. Martin memorial golf course (Senate, No. 1492),-- **ought to pass**
Under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Welch, for the committee on Health Care Financing, on petition (accompanied by bill Senate, No. 530), a Bill relative to full application of telemedicine coverage (Senate, No. 2312) [Estimated cost-more than \$100,000];
Read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Welch, for the committee on Health Care Financing, on petition (accompanied by bill Senate, No. 542), a Bill relative to observation services (Senate, No. 2313) [Estimated cost-less than \$100,000];

Read and, under Senate Rule 26, referred to the committee on Ethics and Rules.

Committee Discharged.

Mr. Joyce, for the committee on Bonding, Capital Expenditures and State Assets, reported, asking to be discharged from further consideration of the Senate Bill authorizing the commissioner of capital asset management and maintenance to convey a certain parcel of land in the city of Cambridge (Senate, No. 2309),-- and recommending that the same be referred to the Senate committee on Ways and Means;

Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE

Bills

Relative to confidentiality in financial examinations (House, No. 4324,-- on House, No. 879);

Requiring national background checks (House, No. 4327,-- on House, No. 1674); and

Were severally read and, under Senate Rule 27, referred to the committee on Senate Ways and Means.

There being no objection, at three minute past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at twenty-three minutes before three 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.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-
Resolutions (filed by Mr. Hedlund) "congratulating Vincent Cogliano Jr. on his years of dedicated volunteer efforts";
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Ryan Glynn on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Tyler Kokoszka on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Michael Landry on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Brian Malloy on his elevation to the rank of Eagle Scout";
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Ethan Pearl on his elevation to the rank of Eagle Scout"; and
Resolutions (filed by Mr. Ross and Ms. Spilka) "congratulating Nicholas Stinehour on his elevation to the rank of Eagle Scout";

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4371) of John V. Fernandes and Richard T. Moore relative to real property tax exemptions for recipients of social security disability and supplemental security income benefits,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Revenue.**

Message from the Governor — Disapprovals

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2015 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements. (see House, No. 4001), which on Tuesday, July 1, 2014, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 4300) was read; and the Senate proceeded to reconsider several items and a section, which had been disapproved or reduced in accordance with the provisions of the Constitution.

Section 277 (Soil Delivery Pre-Approval) was considered as follows:

SECTION 277. Not later than June 30, 2015, the department of environmental protection shall establish regulations, guidelines, standards or procedures for determining the suitability of soil used as fill material for the reclamation of quarries, sand pits and gravel pits. The regulations, standards or procedures shall ensure the reuse of soil poses no significant risk of harm to health, safety, public welfare or the environment considering the transport, filling operations and the foreseeable future use of the filled land. The department may adopt, amend or repeal regulations establishing: (i) classes or categories of fill or reclamation activities requiring prior issuance of a permit issued by the department; (ii) classes or categories of fill or reclamation activities that may be carried out without prior issuance of a permit issued by the department; and (iii) classes or categories of fill that shall require local approval based on the size, scope and location of a project; provided, however, that local approval shall not be required for projects involving less than 100,000 cubic yards of soil.

The Governor disapproved this section.

After remarks, the question on passing section 277, in concurrence, the disapproval of His Excellency the Governor to the

contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seventeen minutes before three o'clock P.M., as follows, to wit (yeas 35 - nays 4) **[Yeas and Nays No. 431]:**

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.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rosenberg, Stanley C.
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. – 35.
Joyce, Brian A.	

NAYS.

Hedlund, Robert L.	Ross, Richard J.
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The yeas and nays having been completed at eleven minutes before three o'clock P.M., section 277 stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7004-0099 (Department of Housing Administration) was considered as follows:

7004-0099 For the operation of the department of housing and community development; provided, that the department may make expenditures against federal grants for certain direct and indirect costs under a cost overhead allocation plan approved by the comptroller; provided further, that the comptroller shall maintain an account on the Massachusetts management accounting and reporting system to make these expenditures; provided further, that expenditures made against the account shall not be subject to appropriation and may include the cost of personnel; provided further, that the department shall provide full cooperation to the research organization selected under item 3000-1050 of section 2 of this act and shall make available to the research organization any information and data needed to assist with the requirements of the item; provided further, that not less than \$230,000 shall be expended by the department for the hiring of three additional housing appeals officers for the purpose of reducing the backlog of emergency assistance appeals; provided further, that notwithstanding any general or special law, or rule or regulation to the contrary, the department may conduct annual verifications of household income levels based upon state tax returns to administer the state and federal housing subsidy programs funded in items 7004-0108, 7004-9005, 7004-9024, 7004-9030, 7004-9033 and 7004-9316 of this section and items 7004-9009, 7004-9014, 7004-9019 and 7004-9020 of section 2D; provided further, that as a condition of eligibility or continued occupancy by an applicant or tenant, the department may require disclosure of the social security number of an applicant or tenant and members of the applicant's or tenant's household for use in verification of income eligibility; provided further, that the department may deny or terminate participation in subsidy programs for failure by an applicant or tenant to provide a social security number for use in verification of income eligibility; provided further, that the department may consult with the department of revenue, the department of transitional assistance, or any other state or federal agency to conduct this income verification; provided further, that notwithstanding any general or special law to the contrary, these state agencies shall consult and cooperate with the department and furnish any information in the possession of the agencies including, but not limited to, tax returns and applications for public assistance or financial aid; provided further, that in conducting this income verification, the director of the department may enter into an interdepartmental service agreement with the commissioner of revenue to utilize the department of revenue's wage reporting and bank match system to verify the income and eligibility of participants in federally assisted housing programs and that of members of the participants' households; provided further, that notwithstanding section 12 of chapter 490 of the acts of 1980, the department may authorize neighborhood housing services corporations to retain, re-assign and re-loan funds received in repayment of loans made under the neighborhood housing services rehabilitation program; provided further, that the department shall, not later than September 2, 2014, promulgate and uniformly enforce regulations clarifying that a household that otherwise qualifies for any preference or priority for state subsidized housing based on homeless or at-risk status shall retain that preference or priority notwithstanding receipt of assistance that is intended to be temporary, including, but not limited to, any temporary or bridge subsidies provided with state or federal funds, which shall include households receiving assistance under item 7004-0108 after July 1, 2013; provided further, that the department shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; provided further, that such information shall be provided in a manner that meets all applicable federal and state privacy and security requirements; provided further, that \$350,000 shall be expended for the expansion of a homeless resource center located at a homeless shelter in the city of Springfield; provided further, that not less than \$15,000 shall be expended for the Turning Point Day Resource Center for the Homeless in the town of Wareham; provided further, that not less than \$250,000 shall be expended for the implementation and evaluation of establishing a homeless family preference in private multi-family housing; provided further, that not less than \$50,000 shall be expended for the Easton Housing Authority; provided further, that not less than \$50,000 shall be expended for the South Worcester Neighborhood Improvement Corporation; provided further, that not less than \$25,000 shall be expended for the Leominster Education Foundation for homeless children in the city of Leominster; provided further, that not less than \$175,000 shall be expended for the provision of emergency services operated by Community Action Programs Inter-City, Inc. for the communities of Chelsea, Revere and Winthrop; provided further, that not less than \$75,000 shall be expended for World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; and provided further, that the town of Holbrook shall receive not less than the amount

appropriated in Chapter 139 of the Acts of 2012 for a one-time community action grant.....\$7,785,144.

The Governor reduced this item by \$250,000 and struck the following language:"; provided further, that not less than \$50,000 shall be expended for the South Worcester Neighborhood Improvement Corporation; provided further, that not less than \$25,000 shall be expended for the Leominster Education Foundation for homeless children in the city of Leominster" and "; provided further, that not less than \$75,000 shall be expended for World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; and provided further, that the town of Holbrook shall receive not less than the amount appropriated in chapter 139 of the acts of 2012 for a 1-time community action grant".

After remarks, the question on passing item 7004-0099, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes before three o'clock P.M., as follows, to wit (yeas 38 - nays 1)

[Yeas and Nays No. 432]:

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – **1.**

The yeas and nays having been completed at two minutes before three o'clock P.M., item 7004-0099, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-2014 (Davis v. Rennie Reserve) was considered as follows:

1599-2014 For a reserve for victim assistance to be paid to the estate of the plaintiff in the case of Davis v. Rennie, civil action NO. 96-cv-11598MEL.....\$500,000.

The Governor disapproved this item.

After remarks, the question on passing item 1599-2014, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes past three o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 433**]:

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.

Petrucelli, 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 five minutes past three o'clock P.M., item 1599-2014, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0501 (DCR Seasonal) was considered as follows:

2800-0501 For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department's parks, beaches, pools and spray pools shall be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that not less than \$700,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the department of conservation and recreation; provided further, that no funds from this item shall be expended for year-round seasonal employees; provided further, that seasonal employees who are hired before the second Sunday preceding Memorial Day, whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2014 shall continue to receive such benefits in fiscal year 2015 during the period of that employee's seasonal employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning not earlier than April 1 and ending not later than November 30 or beginning not earlier than September 1 and ending not later than April 30; provided further, that \$400,000 shall be expended to provide for the building and maintenance of splash pads in the city of Lowell; provided further, that no expenditures shall be made from this item other than for the purposes identified in this item; and provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12 month period..... \$15,280,812.

The Governor reduced this item by \$400,000 and struck the following wording: “; provided further, that \$400,000 shall be expended to provide for the building and maintenance of splash pads in the city of Lowell”. After remarks, the question on passing item 2800-0501, contained in section 2, in concurrence, the reduction and

objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes past three o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 434]:**

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

The yeas and nays having been completed at ten minutes past three o'clock P.M., item 2800-0501, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2810-0100 (State Parks Operations) was considered as follows:

2810-0100 For the operation of the division of state parks and recreation; provided, that funds appropriated in this item shall be used: (a) to operate all of the division's parks, parkways, boulevards, roadways, bridges and related appurtenances under the care, custody and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools; (b) to oversee rinks; and (c) to protect and manage the division's lands and natural resources, including the forest and parks conservation services and the bureau of forestry development; provided further, that the same properties shall be open in fiscal year 2015 as were open in fiscal year 2014; provided further, that no funds from this item shall be made available for payment to true seasonal employees; provided further, that the department may issue grants to public and nonpublic entities from this item; provided further, that not less than \$500,000 shall be expended for the operation of the Blue Hills ski area; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that not less than \$30,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that the division may issue matching grants of not less than \$190,000 to public and nonpublic entities from this item to support free public events and programs on the Metropolitan Beaches as recommended by the Metropolitan Beaches Commission; provided further, that not less than \$350,000 shall be expended for the purposes of aquatic invasive species control; provided further, that not less than \$25,000 shall be expended for the development and maintenance of a community garden in proximity to the commuter rail and/or track running West to East in the city of Malden; provided further, that not less than \$150,000 shall be expended to Plymouth county for the management and cleanup of pond algae and invasive vegetation; provided further, that not less than \$50,000 shall be expended to the town of Pembroke for the management and cleanup of invasive pond vegetation; provided further, that not less than \$250,000 shall be expended to finalize the designs and obtain the permits necessary for implementation of the Mystic River Master plan, including aquatic invasive species control on the Mystic River; provided further, that not less than \$500,000 shall be expended for the Blue Hills trailside museum and the Chickatawbut Hill center; provided further, that not less than \$50,000 shall be expended for the Community Boating Center, Inc in the city of New Bedford for operational expenses and programming for financially disadvantaged children; provided further, that \$250,000 shall be expended for the planning, design and reconstruction of the children's playground and baseball field at Ventura Park in the Dorchester section of the city of Boston; provided further, that not less than \$22,500 shall be expended for additional police patrols at Wallum lake in the town of Douglas; provided further, that not less than \$25,000 shall be expended for the maintenance and improvement of the Fellsme Pond Reservoir in the city of Malden; provided further, that not less than \$50,000 shall be expended for the Central Plymouth County Water District Commission for the improvement and management of lakes and ponds in said district; provided further, that not less than \$100,000 shall be expended for the maintenance of walking trails at Newton Hill and related improvements in Elm Park in the city of Worcester; provided further, that not less than \$100,000 shall be expended for the operation of the Blue Hills Observatory and Science Center; provided further, that not less than \$100,000 shall be expended for the restoration and repair of the Speaker John F. Thompson Center in the City of Boston; provided further, that not less than \$25,000 shall be expended for the community playground at the Burr Elementary School in the city of Newton;

provided further, that not less than \$75,000 shall be expended for the Let's Row Boston program administered by Community Rowing, Inc. of the city of Boston; provided further, that not less than \$5,000 shall be expended for waterfowl nuisance management at Flax Pond in the city of Lynn; provided further, that funds shall be expended for the cleanup of *Pilayella* algae; provided further, that not less than \$200,000 shall be expended for a park alongside the Merrimack River in the city of Lowell; provided further, that not less than \$100,000 shall be expended for long term care and maintenance of Whitman's Pond in Weymouth; and provided further, that not less than \$50,000 shall be expended for a study to be commissioned for the prospect of a recreational park along the Nashua River in the town of Clinton..... \$44,344,381.

The Governor reduced this item by \$1,775,000 and struck the following wording:“; provided further, that not less than \$500,000 shall be expended for the operation of the Blue Hills ski area" and "; provided further, that not less than \$25,000 shall be expended for the development and maintenance of a community garden in proximity to the commuter rail and/or track running West to East in the city of Malden; provided further, that not less than \$150,000 shall be expended to Plymouth county for the management and cleanup of pond algae and invasive vegetation; provided further, that not less than \$50,000 shall be expended to the town of Pembroke for the management and cleanup of invasive pond vegetation" and "; provided further, that not less than \$500,000 shall be expended for the Blue Hills trailside museum and the Chickatawbut Hill center" and "; provided further, that not less than \$25,000 shall be expended for the maintenance and improvement of the Fellsmere Pond Reservoir in the city of Malden; provided further, that not less than \$50,000 shall be expended for the Central Plymouth County Water District Commission for the improvement and management of lakes and ponds in said district; provided further, that not less than \$100,000 shall be expended for the maintenance of walking trails at Newton Hill and related improvements in Elm Park in the city of Worcester; provided further, that not less than \$100,000 shall be expended for the operation of the Blue Hills Observatory and Science Center; provided further, that not less than \$100,000 shall be expended for the restoration and repair of the Speaker John F. Thompson Center in the City of Boston; provided further, that not less than \$25,000 shall be expended for the community playground at the Burr Elementary School in the city of Newton" and "; provided further, that not less than \$100,000 shall be expended for long term care and maintenance of Whitman's Pond in Weymouth; and provided further, that not less than \$50,000 shall be expended for a study to be commissioned for the prospect of a recreational park along the Nashua River in the town of Clinton".

After remarks, the question on passing item 2810-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-two minutes past three o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 435]:**

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.

Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – **1.**

The yeas and nays having been completed at twenty-five minutes past three o'clock P.M., item 2810-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bills — State Loans.

An engrossed Bill providing for capital facility repairs and improvements for the Commonwealth (see House, No. 3933) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, after remarks, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-seven minutes past three o'clock P.M., as follows to wit (yeas 40 - nays 0) **[Yeas and Nays No. 436]:**

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – 40.

NAYS – 0.

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

An engrossed Bill financing information technology equipment and related projects (see House, No. 4355) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, after remarks, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-five minutes before four o'clock P.M., as follows to wit (yeas 40 - nays 0) [**Yeas and Nays No. 437**]:

YEAS.

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

Humason, Donald F., Jr.

Tarr, Bruce E.

Jehlen, Patricia D.

Timilty, James E.

Joyce, Brian A.

Welch, James T.

Keenan, John F.

Wolf, Daniel A. — 40.

NAYS — 0.

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

Emergency Preambles Adopted.

An engrossed Bill releasing certain land in the town of Dracut from the operation of an agricultural preservation restriction (see House, No. 3800, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 16 to 0.

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

An engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Westborough (see House, No. 4157, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,— was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 12 to 0.

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

Engrossed Bills.

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

Designating the Essex Probate and Family Court as the Thaddeus M. Buczek Building (see House, No. 4124, amended); and

Establishing a sick leave bank for Anita Rebello, an employee of the Department of Children and Families (see House, No. 4268, amended).

An engrossed Bill validating the actions taken at the annual town election in the town of Dudley (see House Bill, printed in House, No. 4257) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage was passed to be enacted, two-thirds of the members present having voted in the affirmative, and signed by the President and laid before the Governor for his approbation.**

Engrossed Bill — Amended.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to lease certain property in the town of Tewksbury (see House, No. 4085) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— came before the Senate for its final passage.

On motion of Mr. Finegold, Senate Rule 49 was suspended.

The same Senator moved that the engrossed bill be amended in section 1, by striking out the

words “upon approval from” and inserting in place thereof the following words:- “in consultation with”.

The amendment was adopted.

Sent to the House for concurrence in the amendment.

Recess.

At eighteen minutes before four o’clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at a ten minutes before six o’clock P.M., the Senate reassembled, the President in the Chair.

PAPERS FROM THE HOUSE.

Message from the Governor — Disapproval and Reductions

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2015 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements. (see House, No. 4001), which on Tuesday, July 1, 2014, had been laid before the Governor for his approbation, — came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 4300) was read; and the Senate proceeded to reconsider one item, which had been disapproved in accordance with the provisions of the Constitution.

Item 7504-0102 (FFA-Certified Airframe and Power Plant) was considered as follows:

7504-0102 For Cape Cod Community College to secure proper space and equipment to support an FAA-certified Airframe and Power Plant Program.....\$1,950,000.

[The Governor disapproved this item.]

After remarks, the question on passing item 7504-0102, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes before six o’clock P.M., as follows, to wit (yeas 39 — nays 0)

[Yeas and Nays No. 438]:

YEAS.

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

Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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. – 39.
Keenan, John F.	

NAYS – 0.

ANSWERED “PRESENT”.

Wolf, Daniel A. (*present*) – **1.**

The yeas and nays having been completed at six o’clock P.M., item 7504-0102, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bills — Land Takings for Conservation Etc.

An engrossed Bill authorizing the town of Acton to transfer certain forest land to general municipal purposes (see House, No. 3776, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at one minute past six o’clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 439**]:

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.	Petrucelli, 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 four minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill releasing certain land in the town of Dracut from the operation of an agricultural preservation restriction (see House, No. 3800, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at five minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 440]:**

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.	Petrucelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 39.

Keenan, John F.

NAYS – 0.

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

Emergency Preambles Adopted.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a sewer easement under certain land in the town of Tewksbury (see Senate, No. 2082), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 15 to 0. The bill was signed by the President and sent to the House for enactment.

An engrossed Bill directing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (see House, No. 2838, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 11 to 0. The bill was signed by the President and sent to the House for enactment.

Message from the Governor — Disapprovals and Reductions

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2015 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements. (see House, No. 4001), which on Tuesday, July 1, 2014, had been laid before the Governor for his approbation,-- came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor. The message (House, No. 4300) was read; and the Senate proceeded to reconsider several items, which had been disapproved or reduced in accordance with the provisions of the Constitution. 7007-0300 (Massachusetts Office of Business Development) was considered as follows:

7007-0300 For the operation of the Massachusetts office of business development and for marketing and promoting the Commonwealth in order to attract and retain targeted businesses and industries; provided, that not less than \$100,000 shall be expended for the Springfield Business Improvement District; provided further, that there shall be a grant program for community development corporations located in designated port areas and for the planning of projects to assist commercial fishing such as the pretreatment of wastewater resulting from seafood processing; provided further, that not less than \$100,000 shall be expended for the Massachusetts Development Finance Agency to administer a grant program for early stage development of waterfront community development corporations located in a designated port area established under 301 CMR 25.00 et seq.; and provided further, that the community development corporations must demonstrate that: (i) the designated port area has been negatively impacted by the decline in fishing stocks; and (ii) the community development corporation's mission will include, but not be

limited to, utilization of federal or state tax
credits..... \$1,891,162.

[The Governor reduced this item by \$100,000 and struck the following language:"; provided further, that not less than \$100,000 shall be expended for the Massachusetts Development Finance Agency to administer a grant program for early stage development of waterfront community development corporations located in a designated port area established under 301 CMR 25.00 et seq.; and provided further, that the community development corporations shall demonstrate that: (i) the designated port area has been negatively impacted by the decline in fishing stocks; and (ii) the community development corporation's mission shall include, but not be limited to, utilization of federal or state tax credits".]

After remarks, the question on passing item 7007-0300, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twelve minutes past six o'clock P.M., as follows, to wit (yeas 38 - nays 1)

[Yeas and Nays No. 441]:

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at fourteen minutes past six o'clock P.M., item 7007-0300, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7009-7000 (Early Intervention Data Sharing) was considered as follows:

7009-7000 For costs related to a data sharing pilot program between the department of early education and care, the department of elementary and secondary education, the executive office of education, the department of public health and the executive office of health and human services to issue a state assigned student identifier to children participating in early intervention programs with the goal of tracking and evaluating educational and developmental outcomes for those children, improving delivery of services and determining cost savings associated with the early intervention program; provided, that funds may be transferred from this item to 4513-1020, 7009-1700 and 7009-6379, as necessary, under an allocation plan, which shall detail by object class the distribution of the funds to be transferred \$400,000.

[The Governor disapproved this item.]

After remarks, the question on passing item 7009-7000, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at a quarter past six o'clock P.M., as follows, to wit (yeas 36 - nays 3) **[Yeas and Nays No. 442]:**

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.

Chandler, Harriette L.

McGee, Thomas M.

Chang-Diaz, Sonia

Montigny, Mark C.

Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS.

Hedlund, Robert L.	Tarr, Bruce E. – 3.
Ross, Richard J.	

The yeas and nays having been completed at eighteen minutes past six o'clock P.M., item 7009-7000, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7010-0005 (Department of K-12 Education) was considered as follows:

7010-0005 For the operation of the department of elementary and secondary education; provided, that not less than \$60,000 shall be expended for school zone safety improvements in the town of Franklin; provided further, that not less than \$85,414 shall be expended for public safety costs for Hull public schools; provided further, that \$250,000 shall be expended for the Aspire Mentor Corps, which shall expend funds for programs that utilize retired teachers to mentor novice public school elementary and secondary education teachers; provided further, that no funds in the preceding proviso shall be expended for administrative costs; provided further, that not less than \$25,000 shall be expended for the continued operation of Camp Pohelo; and provided further, that not less than \$100,000 shall be expended for regional school

district planning association.....
\$13,778,657.

[The Governor reduced this item by \$435,000 and struck the following language: "; provided, that not less than \$60,000 shall be expended for school zone safety improvements in the town of Franklin" and "; provided further, that \$250,000 shall be expended for the Aspire Mentor Corps, which shall expend funds for programs that utilize retired teachers to mentor novice public school elementary and secondary education teachers; provided further, that no funds in the preceding proviso shall be expended for administrative costs; provided further, that not less than \$25,000 shall be expended for the continued operation of Camp Pohelo; and provided further, that not less than \$100,000 shall be expended for regional school district planning association".] After remarks, the question on passing item 7010-0005, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty minutes past six o'clock P.M., as follows, to wit (yeas 38 - nays 1)
[Yeas and Nays No. 443]:

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at twenty-three minutes past six o'clock P.M., item 7010-0005, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7010-0033 (Literacy Programs) was considered as follows:

7010-0033 For literacy and early literacy programs; provided, that these programs shall provide ongoing evaluation of outcomes; provided further, that programs receiving funding through this item shall document the outcomes of the programs; provided further, that evaluations shall be compared to measurable goals and benchmarks that shall be developed by the department of elementary and secondary education; provided further, that that the department shall report to the house and senate committees on ways and means and the joint committee on education, not later than March 3, 2015, detailing state support for early literacy programs; provided further, that the report shall include for each program: (i) the number of children served, delineated by age and school; (ii) the percentage of children who receive free and reduced lunch; (iii) the number of children who are English language learners; (iv) the number of students who receive special education services; (v) outcome measures used by the program to evaluate success; and (vi) a comparison to other literacy programs that use similar outcome measures; provided further, that the report shall include a report on all literacy programs funded through this item and items 7010-0020 and 7030-1005; and provided further, that not less than \$20,000 shall be expended for the operation of a school library pilot program in the town of Tewksbury..... \$2,020,000.

[The Governor reduced this item by \$20,000 and struck the following wording: "; and provided further, that not less than \$20,000 shall be expended for the operation of a school library pilot program in the town of Tewksbury".]

After remarks, the question on passing item 7010-0033, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-four minutes past six o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 444]:**

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at twenty-six minutes past six o'clock P.M., item 7010-0033, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7010-0050 (DESE Evaluation) was considered as follows:

7010-0050 For an education evaluation grant program; provided, that the department of elementary and secondary education shall report to the house and senate committees on ways and means 30 days before issuing a request for proposal for this program, detailing the grant selection criteria; provided further, that grant recipients shall be selected through a competitive grant process; provided further, that successful proposals shall: (i) demonstrate substantial experience conducting evaluations of federal, state or local education programs; (ii) focus on the evaluation of a state-funded department of elementary and secondary education program, which may include, but shall not be limited to, success after high school programs, curriculum, instruction and assessment programs, data and technology use and educator quality programs; (iii) identify the state administrative datasets that will be used; and (iv) propose an evaluation that will be completed in not more than 24 months after the grant is awarded; provided further, that the evaluation shall analyze and examine the following areas of policy relevance: (a) the quantifiable effect of the program on the population enrolled in the program; (b) an estimate of the cost to the commonwealth of the education problem being addressed through the program; (c) a comparison of the cost of the program and the estimated short-term and long-term benefits received by program recipients through the program; (d) data limitations in estimating the effect of the program; (e) recommendations for further study; and (f) fidelity of the program during implementation of the program to a broader population; provided further, that in awarding grants, priority shall be given to organizations located within the commonwealth; provided further, that not more than 50 per cent of the amount appropriated in this item shall be granted to any 1 organization; provided further, that the request for proposals shall be issued not later than September 15, 2014; provided further, that the department of elementary and secondary education, the executive office of education, the department of early education and care, the department of higher education and other relevant state agencies shall work with grant recipients funded through this item as necessary to provide secure access to state collected data that is necessary for the evaluations; provided further, that organizations receiving funds through this item shall report biannually to the house and senate committees on ways and means, the joint committee on education and the joint committee on higher education on: (1) the status and preliminary results of evaluations funded through this item; and (2) any obstacles encountered in access to data or other information that is negatively affecting the completion of the study; and provided further, that any unexpended funds appropriated for this item in fiscal year 2015 shall not revert but shall be made available for the purposes of this item until June 30, 2016 \$500,000.

[The Governor disapproved this item].

After remarks, the question on passing item 7010-0050, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-eight minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0)

[Yeas and Nays No. 445]:

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.	Petrucelli, 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 a half past six o'clock P.M., item 7010-0050, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7061-0011 (Foundation Reserve) was considered as follows:

7061-0011 For a reserve to: (i) provide relief to parties involved in a newly formed regional vocational district; provided, that: (a) the member's fiscal year 2015 chapter 70 aid, using estimated enrollment provided to the department of elementary and secondary education, would be greater than what is provided under section 3; (b) the regional district's fiscal year 2015 chapter 70 aid, when base chapter 70 aid is allocated, would be greater than what is provided under said section 3; and (c) funds distributed from this item, under clause (i), shall be

considered prior year chapter 70 aid for fiscal year 2016; (ii) to mitigate 1-time municipal cost increases associated with the withdrawal of a member from a regional school district; (iii) provide extraordinary relief to school districts whose special education costs exceed 30 per cent of the total district costs and whose tuition and other circuit-breaker eligible costs for placements at an approved private school located within the district exceed both \$1,000,000 and 25 per cent of all tuition and other circuit-breaker eligible costs for placements at approved private schools; and (iv) mitigate costs for districts that: (A) experience foundation enrollment growth of greater than 400 pupils from fiscal year 2014 to fiscal year 2015; and (B) whose chapter 70 as a percentage of total foundation budget is less than the district's target aid percentage; provided further, that not less than \$350,000 shall be expended for the purposes of clause (iii); provided further, that not less than \$1,000,000 shall be expended for the purposes of clause (iv); provided further, that funds distributed from this item, under clauses (ii), (iii) and (iv), shall not be considered prior year aid nor shall the funds be used in the calculation of the minimum required local contribution for fiscal year 2015; and provided further, that the department shall make not less than 80 per cent of the funds available for awards on or before October 15, 2014.....\$3,383,233.

[The Governor reduced this item by \$1,000,000 and struck the following wording:“; provided further, that not less than \$1,000,000 shall be expended for the purposes of clause (iv)”.] After remarks, the question on passing item 7061-0011, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-eight minutes before seven o'clock P.M., as follows, to wit (yeas 40 - nays 0) **[Yeas and Nays No. 446]:**

YEAS.

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

Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – 40.

NAYS – 0.

The yeas and nays having been completed at a twenty-six minutes before seven o'clock P.M., item 7061-0011, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7061-9408 (Targeted Intervention) was considered as follows:

7061-9408 For targeted intervention to schools and districts at risk of or determined to be underperforming under sections 1J and 1K of chapter 69 of the General Laws, schools and districts which have been placed in the accountability status of identified for improvement, corrective action or restructuring pursuant to departmental regulations, or which have been designated commonwealth priority schools or commonwealth pilot schools pursuant to said regulations; provided, that no money shall be expended in any school or district that fails to file a comprehensive district plan pursuant to the provisions of section 1I of said chapter 69; provided further, that the department shall only approve reform plans with proven, replicable results in improving student performance; provided further, that in carrying out the provisions of this item, the department may contract with school support specialists, turnaround partners and such other external assistance as is needed in the expert opinion of the commissioner to successfully turn around failing school and district performance; provided further, that no funds shall be expended on targeted intervention unless the department shall have approved, as part of the comprehensive district improvement plan, a professional development plan which addresses the needs of the district as determined by the department; provided further, that eligible professional development activities for the purposes of this item shall include, but not be limited to: professional development among teachers of the same grade levels and teachers of the same subject matter across grade levels, professional development focused on improving the teacher's content knowledge in the field or subject area in which the teacher is practicing, professional development which provides teachers with research based strategies for increasing student success, professional development teaching the principles of data driven instruction, and

funding which helps provide common planning time for teachers within a school and within the school district; provided further, that funds may be expended for the purchase of instructional materials pursuant to section 57 of chapter 15 of the General Laws; provided further, that no funds shall be expended on instructional materials except where the purchase of such materials is part of a comprehensive plan to align the school or district curriculum with the Massachusetts curriculum frameworks; provided further, that preference in distributing funds shall be made for proposals which coordinate reform efforts within all schools of a district in order to prevent conflicts between multiple reforms and interventions among the schools; provided further, that the department shall issue a report not later than January 9, 2015 describing and analyzing all intervention and targeted assistance efforts funded by this item; provided further, that the report shall be provided to the secretary of administration and finance, the senate president, the speaker of the house, the chairs of the house and senate ways and means committees, and the house and senate chairs of the joint committee on education; provided further, that no funds shall be expended on recurring school or school district expenditures unless the department and school district have developed a long-term plan to fund such expenditures from the district's operational budget; provided further, that any funds distributed from this item to a city, town or regional school district shall be deposited with the treasurer of such city, town or regional school district and held in a separate account and shall be expended by the school committee of such city, town or regional school district without further appropriation, notwithstanding any general or special law to the contrary; provided further, the department shall give priority to programs that have the capacity to serve not less than 25 per cent of a district's middle school population and make available documentation of a minimum of \$1 in private sector, local or federal funds for every \$1 in state funds; provided further, that appropriated funds may be expended for programs or activities during the summer months; and provided further, that \$250,000 shall be expended for the continuation of the parent engagement program under item 7061-9408 of section 2 of chapter 182 of the acts of 2008.....\$8,256,297.

[The Governor reduced this item by \$250,000 and struck the following wording: “; and provided further, that \$250,000 shall be expended for the continuation of the parent engagement program under item 7061-9408 of section 2 of chapter 182 of the acts of 2008”.]

After remarks, the question on passing item 7061-9408, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-four minutes before seven o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 447]:**

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.
Creem, Cynthia Stone	Moore, Michael O.

DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at a twenty-two minutes before seven o'clock P.M., item 7061-9408, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7066-0000 (Department of Higher Education) was considered as follows:

7066-0000 For the operation of the department of higher education; provided, that the department shall recommend savings proposals that permit institutions of public higher education to achieve administrative and program cost reductions, resource re-allocation and program re-assessment and to utilize resources otherwise available to such institutions; provided further, that the state university internship incentive program shall receive not less than the amount appropriated in fiscal year 2013 for said program in item 7066-0000 of section 2 of chapter 139 of the acts of 2012; provided further, that the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institution's internship incentive program; provided further, that the commonwealth's contribution shall be equal to \$1 for every \$1 privately

contributed to each university's board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be no greater than the amount appropriated herein; provided further, that funds from this program shall not result in direct or indirect reduction in the Commonwealth's appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for said program; provided further, that in order to meet the estimated costs of employee fringe benefits provided by the commonwealth on account of employees of the Massachusetts State College Building Authority and the University of Massachusetts Building Authority and in order to meet the estimated cost of heat, light, power, and other services, if any, to be furnished by the commonwealth to projects of these authorities, the boards of trustees of the state colleges, state universities and the University of Massachusetts shall transfer to the General Fund, from the funds received from the operations of the projects, such costs, if any, as shall be incurred by the commonwealth for these purposes in the current fiscal year, as determined by the appropriate building authority, verified by the commissioner of higher education and approved by the secretary of administration and finance; provided further, that funds from this account shall be expended for the office of coordination; provided further, that funds from this account may be expended for the commonwealth's share of the cost of the compact for education; and provided further, that funds shall be expended for the office of trustee relations.....\$3,249,334

[The Governor reduced this item by \$1,000,000 and struck the following wording: “; provided further, that the state university internship incentive program shall receive not less than the amount appropriated in fiscal year 2013 for said program in item 7066-0000 of section 2 of chapter 139 of the acts of 2012; provided further, that the commonwealth shall contribute funds to each institution in an amount necessary to match private contributions in the current fiscal year to the institution's internship incentive program; provided further, that the commonwealth's contribution shall be equal to \$1 for every \$1 privately contributed to each university's board of trustees or foundation; provided further, that the maximum total contributions from the commonwealth shall be no greater than the amount appropriated herein; provided further, that funds from this program shall not result in direct or indirect reduction in the Commonwealth's appropriations to the institutions for operations, scholarships, financial aid or any state appropriation and the department shall promulgate regulations and criteria for said program”.] After remarks, the question on passing item 7066-0000 , contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty minutes before seven o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 448]:**

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.	Petrucelli, 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 a seventeen minutes before seven o'clock P.M., item 7066-0000, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7066-0009 (New England Board of Higher Education) was considered as follows:

7066-0009 For the New England board of higher education.....
\$367,500.

[The Governor reduced this item by \$183,000.]

After remarks, the question on passing item 7066-0009, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at sixteen minutes before seven o'clock P.M., as follows, to wit (yeas 36 - nays 3) **[Yeas and Nays No. 449]:**

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.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS.

Hedlund, Robert L.	Tarr, Bruce E. – 3.
Ross, Richard J.	

The yeas and nays having been completed at a thirteen minutes before seven o'clock P.M., item 7066-0009, contained in section 2, stands, in concurrence, notwithstanding the

reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7066-1400 (State University Incentive Grants) was considered as follows:

7066-1400 For additional operational funding for state universities for efforts which advance the goals of the commonwealth vision project; provided, that the state universities shall work in conjunction with the house and senate committees on ways and means to develop a performance-based funding formula for fiscal year 2016; provided further, that funds shall be expended for costs related to the development of said formula; and provided further, that not less than the following amounts shall be made available to the respective institutions named herein: (a) \$1,564,561 to Bridgewater State University; (b) \$810,333 to Fitchburg State University; (c) \$688,592 to Framingham State University; (d) \$499,119 to Massachusetts College of Liberal Arts; (e) \$1,258,870 to Salem State University; (f) \$1,035,356 to Westfield State University; (g) \$944,956 to Worcester State University; (h) \$540,450 to Massachusetts College of Art; (i) \$606,538 to Massachusetts Maritime Academy..... \$8,048,776.

[The Governor reduced this item by \$100,000 and struck the following wording: “; provided, that the state universities shall work in conjunction with the house and senate committees on ways and means to develop a performance-based funding formula for fiscal year 2016; provided further, that funds shall be expended for costs related to the development of said formula”.] After remarks, the question on passing item 7066-1400, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twelve minutes before seven o'clock P.M., as follows, to wit (yeas 35 - nays 4) **[Yeas and Nays No. 450]:**

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.	Petrucelli, 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.	

NAYS.

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

The yeas and nays having been completed at a eight minutes before seven o'clock P.M., item 7066-1400, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0101 (Watershed Management) was considered as follows:

2800-0101 For the watershed management program to operate and maintain reservoirs, watershed lands and related infrastructure of the department of conservation and recreation and the office of water resources in the department; provided, that the amount of the payment shall be charged to the General Fund and shall not be included in the amount of the annual determination of fiscal year charges to the Massachusetts Water Resources Authority assessed to the authority under the General Laws; provided further, that not less than \$40,000 shall be expended for the construction of drop inlet structures to reduce flooding in the Assonet neighborhood in the town of Freetown; provided further, that not less than \$50,000 shall be expended for projects and upgrades made through the Blackstone River Watershed Association; provided further, that not less than \$100,000 shall be expended for a one-time grant to the city of Dedham; provided further, that not less than \$50,000 shall be expended for improvement projects and programs in the town of Milford; provided further, that not less than \$50,000 shall be expended for Mendon Public Library energy efficiency upgrades; provided further, that the department shall continue to make payments pursuant to chapter 616 of the acts of 1957; and provided further, that the department shall continue to make payments pursuant to chapter 307 of the acts of 1987 for the use of certain land.....\$1,310,149.

[The Governor reduced this item by \$290,000 and struck the following wording: “; provided further, that not less than \$40,000 shall be expended for the construction of drop inlet structures to reduce flooding in the Assonet neighborhood in the town of Freetown; provided further, that not less than \$50,000 shall be expended for projects and upgrades made through the Blackstone River Watershed Association; provided further, that not less than \$100,000 shall be expended

for a one-time grant to the city of Dedham; provided further, that not less than \$50,000 shall be expended for improvement projects and programs in the town of Milford; provided further, that not less than \$50,000 shall be expended for Mendon Public Library energy efficiency upgrades”.]

After remarks, the question on passing item 2800-0101, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes before seven o’clock P.M., as follows, to wit (yeas 38 - nays 1)
[Yeas and Nays No. 451]:

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at a three minutes before seven o'clock P.M., item 2800-0101, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 8000-0600 (Executive Office of Public Safety Administration) was considered as follows:

8000-0600 For the office of the secretary, including the highway safety bureau, to provide matching funds for a federal planning and administration grant under 23 U.S.C. section 402 and the costs associated with the implementation of chapter 228 of the acts of 2000; provided, that not less than \$300,000 shall be expended to the town of Ludlow for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Watertown for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Waltham for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Hadley for public safety improvements; provided further, that not less than \$50,000 shall be expended to the city of Melrose for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Hamilton for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Fairhaven for public safety improvements; provided further, that not less than \$33,000 shall be expended to the town of Hopedale for public safety improvements; provided further, that not less than \$75,000 shall be expended to the town of Agawam for public safety improvements; provided further, that not less than \$50,000 shall be expended for the town of Townsend for public safety improvements; provided further, that not less than \$50,000 shall be expended for the town of Seekonk for public safety improvements; and provided further, that not less than \$150,000 shall be expended to the town of Braintree for public safety improvements.....\$3,208,750.

[The Governor reduced this item by \$1,058,000 and struck the following wording: “; provided, that not less than \$300,000 shall be expended to the town of Ludlow for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Watertown for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Waltham for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Hadley for public safety improvements; provided further, that not less than \$50,000 shall be expended to the city of Melrose for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Hamilton for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Fairhaven for public safety improvements; provided further, that not less than \$33,000 shall be expended to the town of Hopedale for public safety improvements; provided further, that not less than \$75,000 shall be expended to the town of Agawam for public safety improvements; provided further, that not less than \$50,000 shall be expended for the town of Townsend for public safety improvements; provided further, that not less than \$50,000 shall be expended for the town of Seekonk for public safety improvements; and provided further, that not less than \$150,000 shall be expended to the town of Braintree for public safety improvements”.]

After remarks, the question on passing item 8000-0600, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of

the Constitution, at two minutes before seven o'clock P.M., as follows, to wit (yeas 38 - nays 1)
[Yeas and Nays No. 452]:

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.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.

The yeas and nays having been completed at a one minute past seven o'clock P.M., item 8000-0600, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 8900-0001 (Department of Corrections Facilities) was considered as follows:

8900-0001 For the operation of the Commonwealth's department of correction; provided, that all correctional facilities that were active in fiscal year 2014 shall remain open in fiscal year 2015; provided further, that the commissioner of correction and the secretary of public safety and homeland security shall report to the house and senate committees on ways and means and the joint committee on public safety and homeland security on or before January 1, 2015, the point score compiled by the department of correction's objective classification system for all prisoners confined in each prison operated by the department; provided further, that for the purposes of maximizing bed capacity and re-entry capability throughout the Commonwealth, the department shall submit quarterly reports, utilizing standardized reporting definitions developed mutually with the Massachusetts Sheriffs' Association on caseload, admissions, classification, releases and recidivism of all pretrial, sentenced and federal inmates; provided further, that the department shall submit these reports on a quarterly basis starting July 1, 2014, due not later than 30 days after the last day of the quarter; provided further, that the department shall also report, in a format developed jointly by the Massachusetts Sheriffs' Association and the department, on the fiscal year 2013 and fiscal year 2014 total costs per inmate by facility and security level on or before October 1, 2014; provided further, that the department shall provide a comprehensive inventory of all current programs and practices, in a manner to be determined by the executive office of public safety and security, to the executive office of administration and finance, the executive office of public safety and security and the house and senate committees on ways and means not later than December 10, 2014; provided further, that the department shall submit all reports to the executive office for administration and finance, the house and senate committees on ways and means and the joint committee on public safety and homeland security; provided further, that \$100,000 shall be expended for the Dismas House in Worcester; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the programs in fiscal year 2015; provided further, that no less than \$50,000 shall be expended to continue the opiate abuse pilot programs in cooperation with the Greater Lowell Health Alliance in item 8900-0001 of chapter 38 of the acts of 2013; provided further, that not less than \$68,000 shall be expended for Dispute Resolution Services, Inc., in the city of Springfield to provide: (a) community mediation services to ex-offenders as an outlet for conflict resolution once those persons return to the community; (b) general community mediation services to the residents of Hampden county to prevent everyday conflict escalation that would require police, court and potentially department of correction intervention and involvement; and (c) additional services which shall include training for correctional officers and other staff members as requested in mediation and conflict resolution techniques to effectively address daily conflicts; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of correction facilities; provided further, that of that \$2,200,000, no municipality hosting a department of correction facility shall receive more than \$800,000; provided further, that of the \$2,200,000, no municipality hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; and provided further, that of the remaining amount, one hundred percent shall be distributed to each host municipality by dividing said remaining amount by the average

daily prisoner population at all department of correction facilities, multiplied by
the average daily prisoner population located within each host
municipality.....\$561,699,788.

[The Governor reduced this item by \$2,200,000 and struck the following wording: “; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of correction facilities; provided further, that of that \$2,200,000, no municipality hosting a department of correction facility shall receive more than \$800,000; provided further, that of the \$2,200,000, no municipality hosting a department of correction facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 68 of the acts of 2011; and provided further, that of the remaining amount, 100 per cent shall be distributed to each host municipality by dividing said remaining amount by the average daily prisoner population at all department of correction facilities, multiplied by the average daily prisoner population located within each host municipality”.]

After remarks, the question on passing item 8900-0001, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes past seven o'clock P.M., as follows, to wit (yeas 39 - nays 0)
[Yeas and Nays No. 453]:

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.	Petrucelli, 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 six minutes past seven o'clock P.M., item 8900-0001, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7077-0023 (Tufts Veterinary) was considered as follows:

7077-0023 For a contract with the Cummings School of Veterinary Medicine at Tufts University; provided, that funds shall be expended under a resident veterinary tuition remission plan as approved by the commissioner of higher education for supportive veterinary services provided to the commonwealth; provided further, that prior year costs may be paid from this item; provided further, that funds appropriated in this item shall support bioterrorism prevention research related to diseases that can be transmitted from animals to humans, in consultation with Massachusetts emergency authorities; provided further, that \$50,000 shall be expended for a feasibility study to be conducted by the Central Massachusetts Regional Planning Commission for a pilot project for Bay Path Regional Vocational Technical High School students to attend Cummings School of Veterinary Medicine at Tufts University; and provided further, that the school may work in consultation with the Norfolk County Agricultural School on veterinary programs..... \$5,550,000.

[The Governor reduced this item by \$750,000] After remarks, the question on passing item 7077-0023, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eight minutes past seven o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 454]:**

YEAS.

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

Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.
Humason, Donald F., Jr.	Spilka, Karen E.
Jehlen, Patricia D.	Tarr, Bruce E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – 38.

NAYS.

Hedlund, Robert L. – 1.

ABSENT OR NOT VOTING.

Timilty, James E. – 1.

The yeas and nays having been completed at a eleven minutes past seven o'clock P.M., item 7077-0023, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bill — Land Taking for Conservation Etc.

An engrossed Bill relative to the granting of an easement at Rea's Pond Sewer Pump Station in the town of North Andover (see Senate, No. 1815, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the

Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twelve minutes past seven o'clock P.M., as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 455**]:

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.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Timilty, James E. – 1.

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

Suspension of Senate Rule 38A.

Mr. Rosenberg moved that Senate Rule 38A be suspended to allow the Senate to continue in session beyond the hour of 8:00 P.M.; and the same Senator requested unanimous consent that the rule be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

PAPERS FROM THE HOUSE

Engrossed Bill — Land Taking for Conservation Etc.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant a sewer easement under certain land in the town of Tewksbury (see Senate, No. 2082) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at sixteen minutes past seven o'clock P.M., as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 456**]:

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.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, 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.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Timilty, James E. – 1.

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

Engrossed Bills.

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

Directing the Commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land to the Salem Redevelopment Authority (see House, No. 2838, amended); and Authorizing the Commissioner of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Westborough (see House, No. 4157, amended).

Emergency Preambles Adopted.

An engrossed Bill authorizing the Department of Conservation and Recreation to lease certain parkland in the city of Cambridge (see Senate, No. 1966), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 8 to 0.

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

An engrossed Bill authorizing the Department of Fish and Game to release a certain conservation restriction on certain property in exchange for acquiring a certain parcel of land in the town of Winchendon (see Senate, No. 2044), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in

concurrence, by a vote of 14 to 0.

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

The House Bill relative to assisting individuals with autism and other intellectual or developmental disabilities (House, No. 4047, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendments with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text of House document numbered 4373.

The rules were suspended, on motion of Ms. Flanagan, and the House amendment was considered forthwith.

The question on concurring in the House amendment was determined by a call of the yeas and nays, at twenty-seven minutes past seven o'clock P.M., on motion of Ms. Flanagan, as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 457]:**

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.	Petrucelli, 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 a half past seven o'clock P.M., the further House amendment was adopted, in concurrence.

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to campaign finance disclosure and transparency (House, No. 4226) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2304),-- reported, a "Bill relative to campaign finance disclosure and transparency" (House, No. 4366), -- came from the House, and was read.

The rules were suspended, on motion of Mr. Finegold, and the report was considered forthwith. After debate, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at twenty-four minutes before eight o'clock P.M., on motion of Mr. Finegoldr, as follows, to wit (38 yeas - 1 nays) **[Yeas and Nays No. 458]:**

YEAS.

Barrett, Michael J.

Kennedy, Thomas P.

Brewer, Stephen M.

Lewis, Jason M.

Brownsberger, William N.

Lovely, Joan B.

Candaras, Gale D.

McGee, Thomas M.

Chandler, Harriette L.

Montigny, Mark C.

Chang-Diaz, Sonia

Moore, Michael O.

Creem, Cynthia Stone

Moore, Richard T.

DiDomenico, Sal N.

Murray, Therese

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.	Petrucelli, 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.
Humason, Donald F., Jr.	Spilka, Karen E.
Jehlen, Patricia D.	Tarr, Bruce E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – 38.

NAYS.

Hedlund, Robert L. – **1.**

ABSENT OR NOT VOTING.

Timilty, James E. – **1.**

The yeas and nays having been completed at twenty-one minutes before eight o'clock P.M., the report of the committee of conference was accepted, in concurrence.

Recess.

There being no objection, at twenty minutes before eight o'clock P.M., the President declared a recess subject to the call of the Chair; and, at eighteen minutes past eight o'clock P.M., the Senate reassembled, the President in the Chair.

PAPER FROM THE HOUSE.

The Senate Bill authorizing the transfer of certain parcels of land in the town of Hubbardston (Senate, No. 2288),-- came from the House passed to be engrossed, in concurrence with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4357.

The rules were suspended, on motion of Mr. Humason, and the House amendment was considered forthwith and adopted, in concurrence.

Matters Taken Out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows: The Senate Bill relative to the financial condition of the town of Templeton (Senate, No. 2135),-- **was read second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

The Senate Bill authorizing the conveyance of certain state land in the town of Adams (Senate, No. 2291),-- **was read second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the change of use of a certain parcel of land in the town of Adams"**.

Sent to the House for concurrence.

The Senate Bill relative to the Worcester DCU arena and convention center (Senate, No. 2227) (its title having been changed by the committee on Bills in the Third Reading),-- **was read third time and passed to be engrossed.**

Sent to the House for concurrence.

Reports of Committees.

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

The Senate Bill eliminating archaic language pertaining to individuals with disabilities in the Commonwealth of Massachusetts (Senate, No. 55) (the committee on Health Care Financing recommending that the bill be amended by substituting a new draft with the same title, (Senate, No. 2319) and (the committee on Ethics and Rules recommending that the bill be amended by substituting a new draft with the same title, (Senate, No. 2330).

There being no objection, the rules were suspended, on motion of Ms. Jehlen, and the bill was read a second time. The pending amendment, previously recommended by the committee on Health Care Financing, was considered; and it was *rejected*.

The pending Ethics and Rules amendment was then considered; and it was adopted.

The bill (Senate, No. 2330) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Mr. Rosenberg, for the committee on Ethics and Rules, reported that the following matter be placed in the Orders of the Day for the next session: The Senate Bill to increase the amount that can be appropriated from the balance of a capital project fund (Senate, No. 2162).

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows:

"An Act to increase the amount that may be appropriated from the balance of a capital project fund".

Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill to promote and advance motorcycle safety (Senate, No. 1677),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2324).

There being no objection, the rules were suspended, on motion of Mr. McGee, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2324) was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed.

Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill relative to motor vehicle service contracts (Senate, No. 1952),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2325).

There being no objection, the rules were suspended, on motion of Mr. Finegold, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2325) was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed.

Sent to the House for concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill relative to healthy kids (Senate, No. 2047),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2326).

There being no objection, the rules were suspended, on motion of Mr. McGee, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

**The bill (Senate, No. 2326) was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed.
Sent to the House for concurrence.**

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a regional school district planning committee (House, No. 3789),-- ought to pass.
There being no objection, the rules were suspended, on motion of Mr. Brewer, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Ms. Donoghue moved to amend the bill by inserting at the end thereof the following new section:-

“SECTION 2. Subsection (i) of section 89 of chapter 71 of the General Laws, as so appearing, is hereby amended by inserting at the end thereof the following new paragraph:-

(4) Notwithstanding any general or special law to the contrary, if a district qualifying under paragraph (3) of subsection (i) of section 89 of chapter 71 is no longer in the lowest 10 per cent, the net school spending cap shall be 9 percent; provided, however, that if the board of elementary and secondary education previously approved a higher level of enrollment for a charter school in the district while the district was in the lowest 10 per cent, the net school spending cap shall remain at the level necessary to support such enrollment. The provisions of this section shall apply only to charter school enrollments approved before July 1, 2014.”

The amendment was adopted.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence, with the amendment, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act further regulating regional school district planning committees”.

Sent to the House for concurrence in the amendment.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill regarding the establishment of a regional school transportation reimbursement fund (House, No. 4019),-- 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, after remarks, was passed to be engrossed, in concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill Relative to defense policies of the Commonwealth (House, No. 4109),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2327.

There being no objection, the rules were suspended, on motion of Mr. Rush, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill authorizing the conveyance of certain land in the city of Holyoke (House, No. 4113),-- ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Humason, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the conveyance of a certain parcel of land in the city of Holyoke”.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill establishing a highway buffer zone in the town of Needham (House, No. 4156),-- ought to pass.

There being no objection, the rules were suspended, on motion of Mr. Rush, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act providing for a highway buffer zone in the town of Needham”.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to the clerks of courts (House, No. 4253),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2328.

There being no objection, the rules were suspended, on motion of Mr. Rush, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill authorizing the Plymouth County Contributory Retirement System to issue pension funding bonds or notes (House, No. 3377),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2321.

There being no objection, the rules were suspended, on motion of Mr. Brewer, and the bill was read a second time.

Pending the question on ordering the bill to a third reading, Messrs. Hedlund, Donnelly, Montigny, Brownsberger and Tarr move to amend the proposed new text by striking section 7 in its entirety and inserting in place thereof the following:-

“SECTION 7. Governmental units of the Plymouth County Contributory Retirement System will have 120 days from the date of passage of this Act to affirmatively opt-in to the bond issuance. To affirmatively opt-in to the bond issuance, a city or a town, by two-thirds vote as defined in section 1 of chapter 44 of the General Laws, shall authorize the selectmen of a town or the mayor or manager of a city to notify the Plymouth County Retirement Board that it will participate in the pension funding bond program. To affirmatively opt-in to the bond issuance, the authorized agent of any governmental unit not a city or town shall notify the Plymouth County Retirement Board that it will participate in the pension funding bond program.

Any government unit that does not opt in to the bond issuance shall remain liable for the debts it owes to the Plymouth County Contributory Retirement System.

Government units that do not opt in to the bond issuance shall not be liable for additional costs or debts incurred from the issuance of pension obligation bonds.”

After remarks, the further amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill, 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 seventeen minutes before nine o'clock P.M., on motion of Mr. Hedlund, as follows, to wit (yeas 21 - nays 17) [**Yeas and Nays No. 459**]:

YEAS.

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chang-Diaz, Sonia	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rosenberg, Stanley C.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Welch, James T. – **21.**

Keenan, John F.

NAYS.

Brownsberger, William N.

Montigny, Mark C.

Chandler, Harriette L.

Moore, Richard T.

Creem, Cynthia Stone

Rodrigues, Michael J.

Donnelly, Kenneth J.

Ross, Richard J.

Finegold, Barry R.

Rush, Michael F.

Hedlund, Robert L.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Joyce, Brian A.

Wolf, Daniel A. – **17.**

Lewis, Jason M.

ABSENT OR NOT VOTING.

Jehlen, Patricia D. – **1.**

*The yeas and nays having been completed at twelve minutes before nine o'clock P.M., the bill was passed to be engrossed, in concurrence with the amendment.
Sent to the House for concurrence in the amendment.*

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to the list of legal investments prepared by the Commissioner of Banks (House, No. 3954),-- ought to pass, with an amendment striking out, in line 31, the words "section 15A" and inserting in place thereof the following words:- "sections 15A and 15B"; and by inserting after the word "district", in line 175, the following word:- "outside".

There being no objection, the rules were suspended, on motion of Mr. Petrucci, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

**The bill, as amended, was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment.
Sent to the House for concurrence in the amendment.**

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to the Massachusetts Credit Union Share Insurance Corporation (House, No. 4112),-- ought to pass.
There being no objection, the rules were suspended, on motion of Mr. Petrucci, and the

bill was read a second time, ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence.

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to real lives (House, No. 4237),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2331.

There being no objection, the rules were suspended, on motion of Mr. Barrett, and the bill was read a second time.

Pending the question on adoption of the amendment, Mr. Barrett moved that the bill be amended in section 1, by striking out, in line 36, the word "program" and inserting in place thereof the following word:- "option"; in said section 1, by inserting after the definition of "participant" the following definition:- "'Person-centered plan', a plan of service for a participant who elects to participate in self-determination; provided, that, the person-centered plan shall be incorporated into the participant's individual support plan."; in said section 1, by inserting after the word "on", in line 77, the following words:- "all service options including, but not limited to,"; and in section 2, by inserting after the word "that", in line 295, the following words:- "a form or an alternative form of".

After remarks, the amendment was adopted.

The Ways and Means amendment, as amended (Barrett), was then adopted.

The bill, as amended, was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to certain judicial procedures in the Superior Court (see House, No. 4123, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the President and laid before the Governor for his approbation.**

Report of a Committee.

By Mr. Brewer, for the committee on Ways and Means, that the Senate Bill authorizing the commissioner of capital asset management and maintenance to convey a certain parcel of land in the city of Cambridge (Senate, No. 2309),-- ought to pass, with an amendment substituting a new draft with the same title (Senate, No. 2333).

There being no objection, the rules were suspended, on motion of Mr. DiDomenico, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2333) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Milton to acquire certain property and to convey certain property (printed in House, No. 4332,-- being a message from His Excellency the Governor),-- was read.

There being no objection, the rules were suspended, on motion of Mr. Joyce, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Order Adopted.

On motion of Mr. Brewer,-- *Ordered*, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., in a full formal session without a calendar.

On motion of the same Senator, at nine minutes past nine o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.