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UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Thursday, March 19, 2015.

Met according to adjournment at one o'clock P.M. (Mr. Pacheco in the Chair).

Distinguished Guests.

There being no objection, the President handed the gavel to Mr. Rush for the purpose of an introduction. Mr. Rush then introduced, on the Rostrum, Irish Consul General of Boston Breandán Ó Caollai and Jillian O'Keeffe, Vice Consul General of Boston. Consul General Ó Caollai, of Dublin Ireland, has served his country in the headquarters of the Department of Foreign Affairs and Trade, including working in the Anglo-Irish Division, the Irish Aid/Development Cooperation Division and the Administration Division. Prior to serving in Boston, he served in the consulate office in New York, was a DFAT press officer, served in the Irish Embassies in Italy and London and has been a representative to the European Union. Consul General Ó Caollai briefly addressed the Chamber. He was accompanied by the world renowned Boston Police Gaelic Column who performed an Irish song. The world renowned Pipers have been performing since 1992 and are dedicated to preserving the traditional music of Gaelic culture. Consul General Ó Caollai signed the guest book and, along with the Boston Police Gaelic Column, withdrew from the Chamber.

The Chair (Mr. Rush) then introduced a group visiting from Northern Ireland through the American Council of Young Political Leaders, the guests included:

Ms. Laura Devlin- Member of Down District Council;
Mr. Stephen Dunne- Member of North Down Borough Council;
Ms. Gráinne Maskey- Special Advisor to the Minister for Education;
Ms. Kate Nicholl- Parliamentary and Constituency Assistant;
Mr. Mark Ovens- Policy Officer; and
Ms. Claire Sugden MLA-Member of Northern Ireland Assembly

The group was accompanied by Mr. John Stewart, Director of Information and Outreach for the Northern Ireland Assembly. Each of the guests signed the guest book and withdrew from the Chamber.

Communication.

Communication from the Honorable Deborah B. Goldberg, Treasurer and Receiver General of the Commonwealth, announcing the appointment of Sue Perez, Executive Director of the Massachusetts Clean Water Trust as her designee (pursuant to Section 14 of Chapter 259 of the Acts of 2014) to the Water Infrastructure Advisory Committee,-- **was placed on file.**

Petitions.

The following petitions, having been timely filed by 5:00 P.M., on Friday, January 16, 2015, were presented and referred as follows:--

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 23) of Brian A. Joyce and Bruce J. Ayers (by vote of the town) for

legislation to authorize the town of Randolph to designate a check-off on its tax bills [Local approval received];
To the committee on Revenue.

By Ms. Flanagan, a petition (accompanied by bill, Senate, No. 25) of Jennifer L. Flanagan and Dennis A. Rosa for legislation to establish a sick leave bank for Ellen Carlson, an employee of the Department of Developmental Services [Local approval received];

To the committee on Public Service
Severally sent to the House for concurrence.

Petitions were severally presented and referred as follows:

By Mr. Joyce, a petition (accompanied by bill, Senate, No. 24) of Brian A. Joyce, Bruce J. Ayers, Mark J. Cusack and Walter F. Timilty (by vote of the town) for legislation to amend the charter of the town of Randolph [Local approval received];

Under Senate Rule 20, to the committee on Municipalities and Regional Government.
Sent to the House for concurrence.

By Mr. Tarr, a petition (subject to Joint Rule 12) (accompanied by bill) of Bruce E. Tarr for legislation to allow police officers to take into protective custody minors who have consumed alcohol;

By the same Senator, a petition (subject to Joint Rule 12) (accompanied by bill) of Bruce E. Tarr relative to employment contracts for town accountants and city auditors;

By the same Senator, a petition (subject to Joint Rule 12) (accompanied by bill) of Bruce E. Tarr for legislation to increase the compensation payable to certified governmental accountants in cities and towns; and

By the same Senator, a petition (subject to Joint Rule 12) (accompanied by bill) of Bruce E. Tarr that cities, towns and other political subdivisions be authorized to establish trust funds to provide for health insurance liabilities for retired public employees;

Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

PAPERS FROM THE HOUSE.

A Message from His Excellency the Governor (under the provisions of Article LXXXIV of the Amendments to the Constitution) recommending legislation relative to financing improvements to municipal roads and bridges (House, No. 3187),-- **was referred, in concurrence, to the committee Transportation.**

There being no objection, at one minute past one o'clock P.M., the Chair (Mr. Pacheco) declared a recess subjected to the call of the Chair; and, at five minutes past two o'clock P.M., the Senate reassembled, the President in the Chair.

The Senator from Norfolk, Bristol and Middlesex, Mr. Ross, then led the Chair, members, guests and staff in the recitation of 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. deMacedo) "congratulating William DiGravio on receiving a 2015 Prudential Spirit of Community Award";

Resolutions (filed by Ms. Flanagan) "congratulating Mary Burke on the occasion of her one-hundred and fourth birthday";

Resolutions (filed by Ms. Gobi) "congratulating Chief Robert Frydryk on the occasion of his retirement from the Palmer Police Department";

Resolutions (filed by Mr. Hedlund) "congratulating Jonathan Bruynell on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Paul Curran on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Patrick Kelley on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Andrew McCabe on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Matthew Mullen on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Nathan Murphy on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Jackson O'Brien on his elevation to the rank of Eagle Scout";

Resolutions (filed by Mr. Hedlund) "congratulating Ian Sibbald on his elevation to the rank of Eagle Scout"; and

Resolutions (filed by Mr. Hedlund) "congratulating Derek Wolforth on his elevation to the rank of Eagle Scout."

Report of a Committee.

By Mr. Kennedy, for the committee on Election Laws, on petition, a Bill relative to the special election in the town of Greenfield (Senate, No. 20).

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

Pending the question on ordering the bill to a third reading, Mr. Kennedy presented an amendment in section 1, by striking out, in line 2, the words "April 14" and inserting in place thereof the following words:- "May 12".

The amendment was adopted.

The bill (Senate, No. 20, amended) was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act relative to the special election in the city known as the town of Greenfield".

Sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were considered as, follows:

The House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended),-- **was read a second time.**

After remarks, and pending the question on adoption of the amendment previously recommended by the committee on Ways and Means, and pending the main question on ordering the bill to a third reading

Mr. Brownsberger, Ms. Creem and Mr. Joyce moved that the proposed new text be amended by adding the following new section:-

"SECTION X. Notwithstanding section 11 of chapter 211D of the General Laws, for fiscal year 2015, the chief counsel of the committee for public counsel services may waive the billable hours cap for private counsel appointed or assigned to cases undertaken by the children and family law division within the committee; provided, that the chief counsel finds that: (i) there is limited availability of qualified counsel in that practice area; (ii) requirements for expertise rendering assignment to certain service providers would be more cost effective, or (iii) demonstrated efficiency of the service provider shows that shifting the service to other providers will reduce the quality and increase the cost of the service; provided further, that counsel appointed or assigned to such cases within the private counsel division shall not be paid for any time billed in excess of 1800 billable hours. It shall be the responsibility of private counsel to manage their billable hours."

After remarks, the amendment was adopted.

Messrs. Brownsberger, Joyce and Tarr moved that the proposed new text be amended by adding the following new sections:-

"SECTION X. The General Laws are hereby amended by inserting after chapter 277A the following chapter:-

CHAPTER 277B *Statewide Grand Jury*

Section 1. Upon written application of the attorney general to the chief justice of the superior court department, with good cause stated therein, the chief justice may authorize the convening of a statewide grand jury with jurisdiction extending throughout the commonwealth.

Section 2. The chief justice of the superior court department shall, upon granting an application, receive recommendations from the attorney general as to the county in which the statewide grand jury shall sit. Upon receiving the attorney general's recommendations, the chief justice shall choose 1 of those recommended locations as the site where the grand jury shall sit. Once a county has been selected, the chief justice shall direct the regional administrative judge from the county selected to appoint, and reappoint as necessary, a superior court judge to preside over the statewide grand jury.

Section 3. The superior court judge presiding over the grand jury shall consult with the attorney general and district attorney for the relevant district about the nature and scope of the investigation and shall thereafter designate and authorize an existing county grand jury to serve as a statewide grand jury for purposes of the investigation specified in the written application, or, alternatively, convene and preside over a specially empaneled statewide grand jury.

Section 4. A specially empaneled statewide grand jury shall be drawn and selected in the same manner as the county grand jury in the county in which the specially empaneled statewide grand jury sits. A specially empaneled statewide grand jury may, at the discretion of the presiding superior court judge, draw jurors from counties adjoining the one in which the statewide grand jury is to sit.

Section 5. A specially empaneled statewide grand jury convened pursuant to this chapter shall sit for a period not to exceed 18 months. The superior court judge presiding over the grand jury may extend this period if, in accordance with section 41 of chapter 234A and section 1A of chapter 277, public necessity requires further time by the grand jury to complete an on-going investigation.

Section 6. The attorney general or an assistant attorney general shall attend each session of a statewide grand jury and may prosecute any indictment returned by it. The attorney general or assistant attorney general shall have the same powers and duties in relation to a statewide grand jury that she has in relation to a county grand jury, except as otherwise provided by law.

Section 7. Indictments shall be returned in the county where the statewide grand jury sits and shall thereafter be transferred to the county specified by the grand jury on the indictment. Venue for purposes of trial of offenses indicted by a statewide grand jury shall be in any county where venue would otherwise be proper.

Section 8. No provision of this chapter shall be construed as limiting the jurisdiction of county grand juries or district attorneys. Except as otherwise provided by law, an investigation by a statewide grand jury shall not preempt an investigation by any other grand jury or agency having jurisdiction over the same subject matter.

SECTION XI. Chapter 277B is hereby repealed.

SECTION XII. Section XI shall take effect on December 31, 2020.”

After remarks, the amendment was adopted.

Messrs. Brownsberger and Donnelly, Ms. Lovely, Messrs. McGee and Joyce moved that the proposed new text be amended by adding the following new section:-

“Section XX. Chapter 465 of the Acts of 1956, as amended by section 55 of Chapter 46 of the Acts of 2013, is hereby further amended in section 36 in subsection (a) by inserting after the word ‘towns:’ the word:- ‘Arlington,’ and, further by inserting after the word ‘Bedford,’ the word:- ‘Belmont,’ and, further by inserting after the word ‘Cambridge,’ the word:- ‘Canton,’ and, further by inserting after the word ‘Lincoln,’ the word:- ‘Lynn,’ and further by inserting after the word ‘Malden,’ the word:- ‘Marblehead,’ and further by inserting after the word ‘Quincy,’ the word:- ‘Randolph,’ and, further by inserting after the word ‘Revere,’ the word:- ‘Salem,’ and, further by inserting after the word ‘Somerville,’ the words:- ‘Swampscott, Watertown.’”

The amendment was adopted

Ms. Creem, Messrs. Rush and Ross moved that the proposed new text be amended by adding at the end thereof the following new section:-

“Section 5 of chapter 624 of the acts of 1986, as amended by chapter 165 of the acts of 2014, is hereby further amended by striking out the words ‘and use of Turtle Lane, a private way, and the use of a private driveway shall be restricted to emergency access, except that a temporary easement through Turtle Lane shall be authorized for rehabilitation of Elm Bank’.”

After remarks, the amendment was adopted.

Messrs. Donnelly and Keenan moved that the proposed new text be amended by inserting in section 2, the following item:

"7002-1074 For the Workforce Competitiveness Trust Fund established in section 2WWW of chapter 29 of the General Laws; provided, that not less than \$1,000,000 shall be transferred to the department of higher education to develop, implement and promote stackable credentials programs at public higher education institutions as required by section 15G of chapter 15A of the General Laws.....\$2,500,000".

The amendment was *rejected*.

Mr. Donnelly moved that the proposed new text be amended by inserting at the end thereof, the following sections:-

“SECTION XX. Chapter 7 of the General Laws is hereby amended by inserting after section 22O the following new section:-
Section 22P. Any state executive, legislative or judicial department, office, commission, board, bureau, institution, regional or independent authority, or any instrumentality thereof contracting for cleaning, maintenance or security guard services in any buildings shall abide by section 27H of chapter 149 and any rules promulgated thereunder. Any procurement bid or offer with the operational services division or any other state procurement agent that does not follow the requirements under this section and any rules promulgated under this section is a nonresponsive bid or offer. Any contract entered into by any department, office, commission, institution or regional authority, after the effective date of this section, shall be void if it is not in compliance with this section and section 27H of chapter 149. Any solicitation by a state department, office, commission, institution or regional authority contracting for cleaning, maintenance or security guard services in any building shall include (1) a statement of required hours; and (2) a worksheet requiring a breakdown of the cost components of the hourly proposed rate as developed by the Executive Office for Administration and Finance or its designee; and (3) a provision for annual adjustments to the contract price to reflect increases to wage and benefits requirements as determined by the director of the department of labor standards.
SECTION XX. Section 27H of chapter 149 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking, in lines 1 and 2, the words ‘the cleaning and maintenance of’ and inserting in place thereof the following words:- ‘cleaning, maintenance or security guard services in’; and inserting, after the word ‘maintenance’, in line 6, the following words: ‘, security guard’.”

The amendment was *rejected*.

Mr. Tarr moved that proposed new text be amended by inserting after section 12, the following section:-

“SECTION _ . Section 59 of Chapter 59 of the General Laws, as so appearing is hereby amended by adding the following paragraph:

Notwithstanding the foregoing provisions, when the last day for making an application for abatement of tax falls on a Saturday, Sunday, legal holiday, or day on which municipal offices are closed as authorized by charter, by-law, ordinance or otherwise for a weather-related or public safety emergency, the application may be made on the next day on which a municipal office is open.”

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting after section 45, the following section:-

“SECTION 45A. Notwithstanding any general or special law to the contrary, if a municipality closed its offices on February 2,

2015 due to a weather-related or public safety emergency, the municipality may allow for an extension for any property owner subject to tax under chapter 59 of the General Laws to make a payment or file an abatement application without penalty or loss of legal rights resulting from the timing of the payment or the filing of the application. Such extension shall be subject to the approval of the mayor and of the city council or board of aldermen in a city or the board of selectmen in a town.”; and by adding the following section:-

“SECTION 51. Section 45A shall expire 60 days from the effective date of this act.”

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by striking out section 36 in its entirety and inserting in place thereof the following:-

“SECTION 36. Section 2 of chapter 176Q of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking subsection (b) in its entirety and replacing it with the following:-

(b) There shall be a board, with duties and powers established by this chapter, which shall govern the connector. The connector board shall consist of 13 members: the secretary for health and human services, or a designee, who shall serve as chairperson; the secretary of administration and finance or a designee; the commissioner of insurance or a designee; the executive director of the group insurance commission; 6 members appointed by the governor, 1 of whom shall be a member in good standing of the American Academy of Actuaries, 1 of whom shall be a health economist, 1 of whom shall represent the interests of small businesses, 2 of whom shall be from organizations representing employers, and 1 of whom shall be a member of the Massachusetts chapter of the National Association of Health Underwriters; and 3 members appointed by the attorney general, 1 of whom shall be an employee health benefits plan specialist, 1 of whom shall be a representative of a health consumer organization and 1 of whom shall be a representative of organized labor. No appointee shall be an employee of any licensed carrier authorized to do business in the commonwealth. All appointments shall serve a term of 3 years, but a person appointed to fill a vacancy shall serve only for the unexpired term. An appointed member of the board shall be eligible for reappointment. The board shall annually elect 1 of its members to serve as vice-chairperson.”

After debate, the amendment was *rejected*.

Mr. Moore and Ms. Lovely moved that the proposed new text be amended in section 2, by inserting after item 0521-0000 the following 2 items:

“1599-4440.....\$2,330,000

1599-4441.....\$27,000”.

The amendment was *rejected*.

Messrs. Keenan and Joyce and Ms. Lovely moved that the proposed new text be amended in section 43, by striking the words “fiscal years, 2016 and 2017” in line 350 and inserting in place thereof the words:- “5 fiscal years, 2016 through 2020”.

After remarks, the amendment was adopted.

Mr. Keenan and Ms. Lovely moved that the proposed new text be amended by inserting in section 2A, under the Executive Office for Administration and Finance, the following new line item:-

“1599-3801 For the payment of local aid to cities and towns to mitigate the budgetary impact of the extraordinary snow and ice removal costs associated with severe winter storms during fiscal year 2015; provided, that funds shall be distributed to cities and towns in accordance with section ___ of this act; provided further, that receipt of funds from this item and distributed in accordance with this act shall not affect a municipality’s obligations regarding education financing and shall be available for unrestricted use by the municipalities..... \$50,000,000”;

By inserting the following new section:-

“SECTION ____ . The Secretary for Administration and Finance shall distribute the funds appropriated in line 1599-3801 as described in this section. The Secretary shall determine the amount of funding budgeted for snow and ice removal by each municipality, shall aggregate these figures to determine the statewide total of municipal funding budgeted for snow and ice, and shall determine the proportion that each municipality’s funding budgeted for snow and ice removal represents of the statewide total of municipal budgeting for snow and ice removal. Each municipality shall receive a distribution of the funds appropriated in line 1599-3801 that is equal to the municipality’s proportion determined according to the preceding sentence.”; and

By inserting the following new section:-

“SECTION ____ . Notwithstanding any general or special law to the contrary, and for the purpose of distributing funds pursuant to section __ of this act, on or before June 30, 2015 the comptroller shall transfer a sum not to exceed \$50,000,000 from the Commonwealth Stabilization Fund to the General Fund.”

The amendment was *rejected*.

Ms. Creem, Ms. Chang-Diaz, Messrs. Donnelly and Ross moved that the proposed new text be amended in Section 2 by inserting after item 7100-0200 the following item:-

“Department of Elementary and Secondary Education

7010-0012.....\$943,000”.

After remarks, the amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended, as follows:

“SECTION 1. Notwithstanding any general or special law to the contrary, the dog racing meeting licensee in Suffolk County and

the dog racing meeting licensees in Bristol County shall not be required to pay the running horse racing meeting licensee in Suffolk county the 3 per cent premium with respect to interstate running horse simulcasts received otherwise required by section 2 of chapter 128C of the General Laws.

SECTION 2. Section 1 shall take effect upon its passage.”

The amendment was *rejected*.

Mr. Welch moved that the proposed new text be amended by adding a new section at the end thereof:-

“SECTION XX. Section 2 of chapter 176Q of the General Laws, as so appearing, is hereby amended by striking out, in line 40, the word ‘annually’ and inserting in place thereof the following word:- ‘quarterly’.”

The amendment was adopted.

Messrs. Donnelly and Humason moved that the bill be amended by inserting, after section 41, the following section:-

"SECTION 41A. The last paragraph of section 236 of chapter 165 of the acts of 2014, is hereby amended by striking out the words "December 31, 2014" and inserting in place thereof the following words:- "December 31, 2015."; and

In section 51, by striking out, in line 411, the word "Section" and inserting in place thereof the following words:- "Sections 41A and".

The amendment was adopted.

Messrs. Moore and Montigny moved that the proposed new text be amended in section 2, by striking out item 7100-0200; in section 2A, by adding the following item:-

“1599-4299 For a reserve to meet the fiscal year 2015 costs of salary adjustments and other economic benefits authorized by collective bargaining agreements with the University of Massachusetts that have not yet been ratified by the general court; provided, that no funds shall be expended from this item before ratification of the collective bargaining agreements by the general court; and provided further, that funding in this item shall be equitably distributed to the campuses of Amherst, Boston, Dartmouth and Lowell.....\$2,200,000”; and

By striking out section 41.

The amendment was adopted.

Messrs. Tarr, DeMacedo and Fattman moved that the proposed new text be amended by inserting at the end thereof the following section:-

“SECTION __. Notwithstanding any general or special law to the contrary no later than 60 days from the passage of this act the Sex Offender Registry Board as established under section 178k of chapter 6 shall initiate revisions to their regulations to reflect recent Supreme Judicial Court or Court of Appeals decisions that have resulted in remands or reversals to the Sex Offender Registry Board of its final classification decisions.”

The amendment was adopted.

Messrs. Pacheco and Kennedy moved that the proposed new text be amended by inserting after section 43 the following section:-

“SECTION 43A. Notwithstanding section 2 of chapter 128C of the General Laws, or any other general or special law to the contrary, the Massachusetts gaming commission may, by regulation, reduce or eliminate the premium to be paid by the greyhound dog racing meeting licensee located in Suffolk county, the greyhound dog racing meeting licensee located in Bristol county, the harness horse racing meeting licensee located in Norfolk county and the running horse racing meeting licensee located in Suffolk county, for interstate simulcasts received, over and above the costs of obtaining such simulcasts, to the horsemen at the race track licensee where the premiums were received and paid to the horsemen as purses. In determining the premium, the commission shall consider all factors it deems necessary to provide for the best interest of all interested stakeholders, including but not limited to regional equity, payment equity, the licensees’ economic viability, local economic impacts and the amount necessary to provide sufficient funding to the purse accounts of the horsemen. Annually, not later than July 1, the commission shall file with the clerks of the house of representatives and the senate and with the joint committee on economic development and emerging technologies, a report on the status and sufficiency of the premiums to support the horsemen as purses.”; and by inserting after section 46 the following section:-

“SECTION 46A. Section 43A shall expire on July 31, 2016.”

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 45, by inserting at the end thereof the following:- “provided, that eligibility for said tuition and fee waivers shall be limited to a United States citizen or eligible noncitizen”.

After remarks, the amendment was *rejected*.

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

Resolutions.

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:- Resolutions (filed by Mr. Pacheco) “congratulating Lukas Hanson on his elevation to the rank of Eagle Scout.”

Orders of the Day.

The Orders of the Day were considered as, follows:

The House Bill making appropriations for the fiscal year 2015 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 65, amended),-- the main question being on order the bill to a third reading. Messrs. Tarr and Joyce moved that the proposed new text be amended by inserting at the end thereof the following new section:-
“Section_ : The secretary of elder affairs and the undersecretary of consumer affairs and business regulation in consultation with relevant stakeholders, shall review the necessity and desirability of in-person and telephonic methods with respect to reverse mortgage counseling to ensure proper protections for eligible seniors. Such review will include but not be limited to the advisability and overall protections for seniors, availability, costs, and convenience of counseling opportunities, and full compliance with all federal lending laws.

The secretary of elder affairs and the undersecretary of consumer affairs and business regulation shall file the report with the clerks of the house and senate and to the house and senate committees of ways and means within 60 days of the passage of this act.”

After remarks, the amendment was adopted.

Mr. Petrucci moved that the proposed new text be amended by inserting after section 28 the following 4 sections:-

“SECTION 28A. Section 5 of chapter 128A of the General Laws, as so appearing, is hereby amended by inserting after the word ‘meetings’, in line 55, the following words:- and, with the approval of the appropriate horsemen’s association representing the horse owners racing at that meeting, for payment of administrative and horseracing operations.

SECTION 28B. Section 2 of chapter 128C of the General Laws is hereby amended by inserting after the word ‘purses’, in line 130, as so appearing, the following words:- or, with the approval of the appropriate horsemen’s association representing the horse owners racing at that meeting, used for payment of administrative and horse racing operations.

SECTION 28C. Section 4 of said chapter 128C, as so appearing, is hereby amended by inserting after the word ‘meetings’, in line 45, the following words:- or, with the approval of the appropriate horsemen’s association representing the horse owners racing at that meeting, for payment of administrative and horse racing operations.

SECTION 28D. Said section 4 of said chapter 128C, as so appearing, is hereby further amended by inserting after the word ‘purses’, in line 55, the following words:- or, with the approval of the appropriate horsemen’s association representing the horse owners racing at that meeting, for payment of administrative and horse racing operations.”; and by inserting after section 45 the following section:-

“SECTION 45A. Notwithstanding section 2 of chapter 128A of the General Laws and sections 1, 2, 2A and 4 of chapter 128C of the General Laws or any other general or special law to the contrary, the running horse racing meeting licensee located in Suffolk county licensed to conduct live racing pursuant to said chapter 128A and simulcast wagering pursuant to said chapter 128C in calendar year 2014 shall remain licensed as a running horse racing meeting licensee until July 31, 2016 and shall remain authorized to conduct simulcast wagering pursuant to said chapter 128C for the entirety of any year in which at least 1 day and not more than 50 days of live running horse racing is conducted at the licensee’s facility; provided, however, that the days between January 1 and December 31 of each year shall be dark days pursuant to said chapter 128C and the licensee shall be precluded from conducting live racing during that period unless it applies for and is granted a supplemental live racing license pursuant to said chapter 128A; provided further, that all simulcasts shall comply with the Interstate Horse Racing Act of 1978, 15 U.S.C. Sec. 3001 et seq. or other applicable federal law; provided further, that all simulcasts from states which have racing associations that do not require approval in compliance with said Interstate Horse Racing Act, 15 U.S.C. Sec. 3004(a)(1)(A), except simulcasts during the month of August, shall require the approval of the New England Horsemen’s Benevolent & Protective Association prior to being simulcast to a racing meeting licensee within the commonwealth; and provided further, that if the association agrees to approve the simulcast for 1 racing meeting licensee, it shall approve the simulcast for all otherwise eligible racing meeting licensees.”

The amendment was adopted.

Ms. Spilka moved that the proposed new text be amended in section 39, by striking out, in line 337, the word “June” and inserting in place thereof the following word:- “November”.

The amendment was adopted.

The Ways and Means amendment, as amended, was then 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 [For text of Senate amendments, see Senate, No. 28, printed as amended].

Sent to the House for concurrence in the amendment.

Report of a Committee.

By Mr. Montigny, for the committee on Rules, pursuant to Senate Rule 19, a Committee Bill exempting the police department in the town of Burlington from the civil service law (Senate, No. 26) [Local approval received]. **The bill was read.**

There being no objection the rules were suspended, on motion of Mr. Montigny, 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.

Sent to the House for concurrence.

By Mr. Montigny, for the committee on Rules, pursuant to Senate Rule 19, a Committee Bill exempting the police department in the town of Westwood from the provisions of the civil service law (Senate, No. 27) [Local approval received]. **The bill was read.**

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

Order Adopted.

On motion of Ms. Chandler,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

On motion of Mr. Kennedy, at four minutes before five o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.