

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, JULY 25, 2018

[75]

JOURNAL OF THE SENATE.

Wednesday, July 25, 2018.

Met at twenty-one minutes past eleven o'clock A.M.

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

Pledge of allegiance.

Reports.

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

Report of the Department of Public Health (Pursuant to Line Item 4512-0204 of Chapter 47 of the Acts of 2017) submitting its report entitled "First Responder Naloxone Grants and Overdose Education and Naloxone Distribution." (received July 24, 2018,); and

DPH,-- OEND report.. SD2729

Report of the Department of Public Health (Pursuant to Line Item 4512-0211 of Chapter 47 of the Acts of 2017) submitting its report entitled Recovery High Schools for FY18 (received July 24, 2018).

DPH, -- Recovery High Schools report. SD2730

Petition.

Mr. Moore presented a petition (accompanied by bill) (subject to Joint Rule 12) of Michael O. Moore and Kate D. Campanale for legislation to establish a sick leave bank for Tiffany Sonnier, an employee of the Department of Mental Health;

Tiffany Sonnier,-- sick leave. SD2731

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

Reports of Committees.

Mr. Montigny, for the committee on Rules, to whom was referred the Senate Order relative to authorizing the joint committee on the Revenue to make an investigation and study of certain current Senate documents relative to revenue matters (Senate, No. 2497), reported, in part, a "Bill authorizing the establishment of first-time homebuyer savings accounts" (Senate, No. 1507);

First-time homebuyer,-- savings accounts.

The bill was read and, under Senate Rule 27, referred to the committee on Ways and Means.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows

Petition (accompanied by bill, House, No. 4804) of Michael S. Day (by vote of the town) that the town of Stoneham be authorized to grant certain licenses for the sale of all alcoholic beverages to be drunk on the premises;

Stoneham,-- liquor license.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4801) of Kenneth I. Gordon and Cindy F. Friedman (by vote of the town) that the town of Burlington to authorized to receive water from the Massachusetts Water Resources Authority;

Burlington,-- MWRA.

To the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4805) of Peter J. Durant and Paul K. Frost (by vote of the town) that the town of Charlton be authorized to appoint two alternate members of the conservation commission of said town;

Charlton,--
conservation
commission.

To the committee on Municipalities and Regional Government.

Order Adopted.

Ms. Spilka offered the following order, to wit:

Ordered, That notwithstanding any rule to the contrary, during consideration of the Senate Ways and Means new text (Senate, No. 2625) to the House Bill relative to economic development in the commonwealth (House, No. 4732) there being no objection, several amendments to said new text may be considered simultaneously with similar recommendations and voted upon in a single action.

Procedural order.

Under the rules, referred to the committee on Rules.

Subsequently, Mr. Montigny, for said committee, reported, recommending that the order be adopted.

The rules were suspended, on motion of Ms. Lovely, and the order was considered forthwith and adopted.

Report of a Committee

The following report was laid before the Senate, the time within which the said committee was required to report having expired:--

Of the committee on Elder Affairs, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 2513) of Julian Cyr for legislation relative to elder protection.

Elder protection.

The rules were suspended, on motion of the Mr. Pacheco; and, on motion of the same Senator, the petition was recommitted to the Joint Committee on Elder Affairs.

Reports of a Committee.

By Ms. Spilka, for the committee on Ways and Means, that the House Bill providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (printed in House, No. 4573),-- ought to pass.

Affordable housing.

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (printed in House, No. 4668),-- ought to pass.

Life sciences.

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

By Ms. Spilka, for the committee on Ways and Means, that the House Bill providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (printed in House, No. 4669),-- ought to pass.

Capital
improvements.

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

PAPERS FROM THE HOUSE

A Bill authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of certain land situated in the town of Nantucket held for cemetery purposes (House, No. 4717,-- on petition) [Local approval received],-- was read.

Nantucket,-- land conveyance.

There being no objection, the rules were suspended, on motion of Mr. Pacheco, and the bill was read a second time and ordered to a third reading.

A Bill authorizing the city of Quincy to grant abatements of real estate taxes to certain veterans (House, No. 4782,-- on House, No. 4720) [Local approval received on House, No. 4720],-- was read.

Quincy,-- real estate taxes.

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time and ordered to a third reading.

Matters Taken out of the Orders of the Day.

There being no objection, the following matters were taken out of the Orders of the Day and considered as follows:

The House Bill authorizing Brian M. Belfiore to take the civil service examination for the position of firefighter in the City of Haverhill notwithstanding the maximum age requirement (House, No. 4186),-- **was read a third time and passed to be engrossed, in concurrence.**

Haverhill,-- civil service.

The House Bill authorizing the Division of Capital Asset Management and maintenance to convey certain parcels of the land in the town of Shrewsbury (House, No. 4312) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Shrewsbury,-- land conveyance.

The Senate Bill authorizing the city of Boston to transfer the care, custody and control of a certain parcel of land from the conversation commission to the department of parks and recreation for playground purposes (Senate, No. 2540) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Boston,-- land transfer.

Sent to the House for concurrence.

The House Bill authorizing the city of Cambridge to change the use of certain land acquired for open space recreational purposes to a use for traffic reconfiguration purposes (House, No. 4634) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Cambridge,-- land transfer.

The Senate Bill establishing an advisory committee on the accessibility of fresh food retail in communities throughout the Commonwealth (Senate, No. 1276),-- **was read a third time and passed to be engrossed.**

Fresh food,-- accessibility.

Sent to the House for concurrence.

The Senate Bill authorizing the commissioner of capital asset management and maintenance to release a portion of a certain parcel of land in the town of Berkley from an agricultural preservation restriction (Senate, No. 2395) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time**

Berkley,-- land easement.

and passed to be engrossed.

Sent to the House for concurrence.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for David Silvia Jr., an employee of the Department of Correction (see Senate, No. 2324) (which originated in the Senate), **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.**

Bill laid before the Governor.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Amending the charter of the town of Hull to authorize the Chair, Vice-Chair or Clerk of the town of Hull local licensing authority to issue one day alcohol, common victualler and/or entertainment licenses (Senate, No. 2566);

Second reading bills.

Increasing residency preference for appointment at Boston Police Department and Boston Fire Department (Senate, No. 2581);

Authorizing the city of Beverly to employ Paul Cotter as Fire Chief beyond the statutory requirement age (House, No. 4488);

Directing the City of Boston Police Department to waive the maximum age requirement for police officers for Hugh Trong Ngo (House, No. 4608);

Authorizing the town of Sharon to use of a certain parcel of land for general municipal purposes (House, No. 4633); and

Amending the charter of the city known as the town of Bridgewater (House, No. 4752);

Were severally read a second time and ordered to a third reading.

The Senate Bill authorizing the town of Wilbraham to exchange a certain parcel of land held for conservation purposes (Senate, No. 2583, changed),-- was read a second time and ordered to a third reading.

Wilbraham,-- land.

There being no objection, the rules were suspended, on motion on Mr. Montigny, and the bill was read a third time and passed to be engrossed.

Sent to the House for concurrence.

There being no objection, the following matters were taken out of order and considered as follows:

The following report was laid before the Senate, the time within which the said committee was required to report having expired:---

Of the committee on Public Safety and Homeland Security, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, Senate, No. 1903) of Michael D. Brady, Michelle M. DuBois, Viriato M. deMacedo, Elizabeth A. Poirier and other members of the General Court for legislation to enhance child passenger safety.

Child passenger,-- safety.

The report was not accepted.

On motion of Mr. Brady, the bill was substituted for the report of the committee.

The bill (Senate, No. 1903) was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Orders of the Day.

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was read a second time.

Economic Development.

Recess.

At twenty-eight minutes before one o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at twenty-seven minutes before two o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Committee of Conference Reports.

Ms. Chang-Diaz, for the committee of conference on the disagreeing votes of the two branches, with reference to the House amendments to the Senate Bill to promote and enhance civic engagement (Senate, No. 2375) (*amended by the House* by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4545),-- reported, in part, a "Bill to promote civic engagement." (Senate, No. 2631).

Civic engagement.

The rules were suspended, on motion of Mr. Pacheco, and the report was considered forthwith.

After remarks, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at seventeen minutes before two o'clock P.M., on motion of Ms. Chang-Diaz, as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 462**]:

YEAS.

- | | |
|--------------------------|-------------------------|
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Lesser, Eric P. |
| Brownsberger, William N. | Lewis, Jason M. |
| Chandler, Harriette L. | L'Italien, Barbara A. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Creem, Cynthia Stone | Moore, Michael O. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | O'Connor Ives, Kathleen |
| deMacedo, Viriato M. | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rodrigues, Michael J. |
| Eldridge, James B. | Ross, Richard J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gobi, Anne M. | Timilty, Walter F. |
| Hinds, Adam G. | Tran, Dean A. |
| Humason, Donald F., Jr. | Welch, James T. – 37. |
| Jehlen, Patricia D. | |

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at ten minutes before two o'clock P.M., the report was accepted.

Sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic
Development.

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means, that the pending Bonding, Capital Expenditures and State Assets pending new text Senate document numbered 2622 be amended by striking all after the enacting clause and inserting in place thereof the text of Senate document numbered 2625, and pending the main question on ordering the bill to a third reading, Messrs. Tarr and Humason, Ms. Gobi, Messrs. Feeney, Fattman, Ross, deMacedo, O'Connor and Tran moved that the proposed new text be amended by inserting after section _ the following sections:-

1

“SECTION XX. Notwithstanding any general or special law to the contrary, for the days of August 11, 2018 and August 12, 2018, an excise shall not be imposed upon nonbusiness sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. For the purposes of this act, tangible personal property shall not include telecommunications services, tobacco products subject to the excise imposed by chapter 64C of the General Laws, marijuana or marijuana products subject to the excise tax imposed by chapter 64H of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION XX. Notwithstanding any general or special law to the contrary, for the days of August 11, 2018 and August 12, 2018, a vendor shall not add to the sales price or collect from a nonbusiness purchaser an excise upon sales at retail of tangible personal property, as defined in section 1 of chapter 64H of the General Laws. The commissioner of revenue shall not require a vendor to collect and pay excise upon sales at retail of tangible personal property purchased on August 11, 2018 and August 12, 2018. An excise erroneously or improperly collected during the days of August 11, 2018 and August 12, 2018, shall be remitted to the department of revenue. This section shall not apply to the sale of telecommunications services, tobacco products subject to the excise imposed by chapter 64C of the General Laws, marijuana or marijuana products subject to the excise tax imposed by chapter 64H of the General Laws, gas, steam, electricity, motor vehicles, motorboats, meals or a single item the price of which is in excess of \$2,500.

SECTION XX. Reporting requirements imposed upon vendors of tangible personal property, by law or by regulation, including, but not limited to, the requirements for filing returns required by chapter 62C of the General Laws, shall remain in effect for sales for the days of August 11, 2018 and August 12, 2018.

SECTION XX. On or before December 31, 2018, the commissioner of revenue shall certify to the comptroller the amount of sales tax forgone, as well as new revenue raised from personal and corporate income taxes and other sources, pursuant to this act. The commissioner shall file a report with the joint committee on revenue and the house and senate committees on ways and means detailing by fund the amounts under general and special laws governing the distribution of revenues under chapter 64H of the General Laws which would have been deposited in each fund, without this act.

SECTION XX. The commissioner of revenue shall issue instructions or forms,

or promulgate rules or regulations, necessary for the implementation of this act.

SECTION XX. Eligible sales at retail of tangible personal property under paragraphs 1 and 2 are restricted to those transactions occurring on August 11, 2018 and August 12, 2018. Transfer of possession of or payment in full for the property shall occur on 1 of those days, and prior sales or layaway sales shall be ineligible.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at four minutes before two o’clock P.M., on motion of Mr. Tarr, as follows to wit (yeas 31 – nays 6) **[Yeas and Nays No. 463]:**

YEAS.

Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	Montigny, Mark C.
Collins, Nick	Moore, Michael O.
Crighton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	Pacheco, Marc R.
deMacedo, Viriato M.	Rodrigues, Michael J.
DiDomenico, Sal N.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Hinds, Adam G.	Timilty, Walter F.
Humason, Donald F., Jr.	Tran, Dean A.
Keenan, John F.	Welch, James T. – 31.
Lesser, Eric P.	

NAYS.

Chang-Diaz, Sonia	Friedman, Cindy F.
Creem, Cynthia Stone	Jehlen, Patricia D.
Eldridge, James B.	O'Connor Ives, Kathleen – 6.

ABSENT OR NOT VOTING.

Barrett, Michael J. – **1.**

The yeas and nays having been completed at five minutes past two o’clock P.M., the amendment was adopted.

Mr. Moore and Ms. Gobi moved that the proposed new text be amended by adding the following new section:-

15

"SECTION XX. Subsection (f) of section 25C of Chapter 138 is hereby amended by adding the following new sentence:-

Notwithstanding any general or special laws to the contrary, a licensee authorized to sell alcoholic beverages at retail for off-premises consumption may issue coupons to customers for the purchase of alcoholic beverages at prices below current posted prices provided that the final cost to a customer is not below the retailer’s invoiced cost after applicable discounts.”

The amendment was *rejected*.

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

17

SECTION X. Section 25A of chapter 138 of the General Laws, as so appearing in the 2016 Official Edition, is hereby amended by adding the following paragraph:-

An individual, partnership or corporation that is granted, in the aggregate, two or more licenses under section 15 may combine the alcoholic beverages purchases of such licenses for the purpose of attaining a quantity discount offered by a wholesaler licensed under section 18.

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting the following new section:- 24

"SECTION XX. Chapter 138 of the General Laws, is hereby amended by adding the following new section:-

Section 15G. Cooperative purchasing agreements.

Any three or more license holders under section 15, but no more than seven such license holders, or the maximum number of licenses one licensee is allowed to hold under section 15, in the aggregate, may enter into a cooperative agreement to make joint purchases of alcoholic beverages in larger quantities than might otherwise be purchased for the purpose of attaining a quantity discount offered by a wholesaler licensed under Section 18; provided further that all alcoholic beverages purchased pursuant to any such agreement shall be distributed to none other than each licensee who is a party to such agreement."

The amendment was *rejected*.

Mr. Hinds, Ms. Gobi and Mr. Humason moved that the proposed new text be amended by adding at the end thereof the following section:- 46

"SECTION XXXX. Notwithstanding any general or special law to the contrary, any city or town that has received a grant from the executive office of housing and economic development or Massachusetts Broadband Institute for purposes of constructing a municipally owned broadband network shall have the power and authority (1) to provide internet access service to a premises located in an adjacent municipality; and (2) to accept or acquire an easement or other real property interest in an adjacent city or town for purposes of constructing, owning, maintaining and operating infrastructure for providing internet access service to its own residents or to premises located in an adjacent municipality."

The amendment was adopted.

Messrs. Hinds, Crighton, Welch, Humason, Feeney, Tran, Montigny and O'Connor and Ms. L'Italien moved that the proposed new text be amended by adding at the end thereof the following sections:- 48

"SECTION XXXX. Paragraph (5) of subsection (q) of section 6 of chapter 62 of the general laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 889 and 895, the figures '\$10,000,000' and inserting in place thereof the figures '\$20,000,000'.

SECTION XXXX. Subsection (5) of section 38BB of chapter 63 of the general laws, as so appearing, is hereby amended by striking out, in lines 44 and 50, the figures "\$10,000,000" and inserting in place thereof the figures '\$20,000,000'."

The amendment was *rejected*.

Messrs. O'Connor and Lewis moved that the proposed new text be amended by adding the following new section: 77

"SECTION XX. Solar Mobility System Networks shall be included in the evaluation of technically, economically-feasible and cost-effective pathways, using the following standards: 1) built and operated by private enterprise without government subsidies, 2) exceed 120 passenger miles per gallon or equivalent energy efficiency, 3) gather more than 2 megawatt-hours of renewable energy per network mile per typical day, 4) use system design, fabrication, installation, safety, insurance and inspection practices consistent with the American Society for Testing and Materials International Committee F24 on Amusement Rides and Devices as used by theme parks, 5) pay up to 5 per cent of the gross revenues to the aggregate rights-of-way holders. The evaluation of Solar Mobility Systems shall include a

pilot program.”

The amendment was *rejected*.

Ms. Friedman, Ms. Gobi, Messrs. Lewis, Humason, Feeney and Fattman moved that the proposed new text be amended by adding the following section:-

79

SECTION XX. Section 2WWW of Chapter 29 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the figure “\$500,000.”, in line 38, the following sentence:- These grants shall be known as the "Senator Kenneth J. Donnelly Workforce Success" grants.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-seven minutes past two o’clock P.M., on motion of Ms. Friedman, as follows to wit (yeas 38 – nays 0) **[Yeas and Nays No. 464]:**

YEAS.

- | | |
|--------------------------|-------------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Lesser, Eric P. |
| Brownsberger, William N. | Lewis, Jason M. |
| Chandler, Harriette L. | L'Italien, Barbara A. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Creem, Cynthia Stone | Moore, Michael O. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | O'Connor Ives, Kathleen |
| deMacedo, Viriato M. | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rodrigues, Michael J. |
| Eldridge, James B. | Ross, Richard J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gobi, Anne M. | Timilty, Walter F. |
| Hinds, Adam G. | Tran, Dean A. |
| Humason, Donald F., Jr. | Welch, James T. – 38. |

NAYS – 0.

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

Mr. Tarr moved that the proposed new text be amended by striking lines 605-609 in its entirety and inserting in place thereof the following:

81

“SECTION 22. Notwithstanding any general or special law to the contrary, \$2,000,000 shall be allocated annually from the Prevention and Wellness Trust Fund by the administrator of said fund for a Fishing Partnership Health Plan Corporation project that provides services to fishermen and fishing families; provided, however, that such services shall include, but not be limited to, assisting fishermen and fishing families in obtaining health insurance coverage.”

The amendment was *rejected*.

Ms. Friedman moved that the proposed new text be amended in section 12, by striking out subsection (e) and inserting in place thereof the following subsection:-

82

(e) A court shall not reform or otherwise revise a noncompetition agreement so as to render it valid and enforceable to the extent necessary to protect the applicable legitimate business interests. A court shall not invoke the doctrine of inevitable disclosure to extend an expired noncompetition agreement or otherwise render enforceable a noncompetition agreement that fails to satisfy the requirements of paragraphs (i) to (viii), inclusive, of subsection (b).

After remarks, the amendment was *rejected*.

Ms. L'Italien moved that the proposed new text be amended by inserting at the end thereof the following new sections:-

83

“SECTION XX: Chapter 112 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after section 264 the following new section:

Section 265: Title: Certified Commercial Interior Designer

(A) Definitions

(1) ‘Building’ means an enclosed structure, including the structural, mechanical, and electrical systems, utility services, and other facilities required for the structure, that has human occupancy or habitation as its principal purpose and is subject to the State Building Code or an approved code.

(2) ‘International Building Code’ means the edition of the International Building Code, issued by the International Code Council, most recently adopted by the state in the eighth edition of the State Building Code.

(3)(a) ‘Practice of commercial interior design’ means, in relation to obtaining a building permit independent of an architect licensed under sections 60A through 60O of chapter 112 of the general laws, the preparation of a plan or specification for, or the supervision of new construction, alteration, or repair of, an interior space within a newly constructed or existing building when the core and shell structural elements are not going to be changed.

(b) ‘Practice of commercial interior design’ only includes the preparation of a plan or specification for, or the supervision of new construction, alteration, or repair of, a building to be used for the following occupancy groups as described in the International Building Code: (i) B; and (ii) M.

(c) ‘Practice of commercial interior design’ does not include: (i) providing commercial construction documents, independent of a licensed architect, for a space that: (ii) does not already have base building life safety components installed or designed and permitted, including required exit stairs and enclosures, paths of travel, ramps, horizontal exit passageways, disabled access, fire alarm systems, and base building fire suppression systems; or (iii) is undergoing a change of occupancy classification as described in the International Building Code; or changes to or the addition of foundations, beams, trusses, columns, or other primary structural framing members or seismic systems; structural concrete slabs, floor and roof framing structures, or bearing and shear walls; openings in roofs, floors, exterior walls, or bearing and shear walls; exterior doors, windows, awnings, canopies, sunshades, signage, or similar exterior building elements; as described in the International Building Code, life safety equipment, including smoke, fire, or carbon dioxide sensors or detectors, or other overhead building elements; as described in the International Building Code, partial height partitions with mounted or anchored casework, shelving, or equipment; as described in the International Building Code, bracing for partial height partitions if the top of the partition is more than eight feet above the floor; or heating, ventilating, or air conditioning equipment or distribution systems, building management systems, high or medium voltage electrical distribution systems, standby or emergency power systems or distribution systems, plumbing or plumbing distribution systems, fire alarm systems, fire sprinklers systems, security or monitoring systems, or related building systems.

(4) ‘State certification’ means a designation granted by the administration on behalf of the state to an individual who has met the requirements for state certification related to an occupation or profession described in this chapter.

(5) ‘State certified’ means, when used in conjunction with an occupation or

profession described in this chapter, a title that:

(a) may be used by a person who has met the state certification requirements related to that occupation or profession described in this chapter; and

(b) may not be used by a person who has not met the state certification requirements related to that occupation or profession described in this chapter.

(B) Testing Requirement

Any individual who has passed the interior design examination administered by the National Council for Interior Design Qualification (NCIDQ) may use the title 'Certified Commercial Interior Designer.' Such individual shall, upon satisfactory completion of the aforementioned requirements, send to the office of director of professional licensure a copy of documentation of the proof of passage of said exam, of graduation and completion of said program, and any certifications awarded to said individual by the National Council for Interior Design Qualification, with said individual's name, present mailing address and email address, and any changes there to as such changes occur. Such documentation shall be placed on file in the office of said director.

(B) Application; Renewal; Re-Activation

Each applicant seeking to become a certified commercial interior designer shall pay to the board, upon filing his or her original application a fee to be determined annually by the commissioner of administration. The director of the division of professional licensure, or his designee, as the custodian of any documentation required by this section shall enforce the provisions of said section and may use said documentation, or any lack thereof, as he, or his designee, deems necessary, notwithstanding any General or special Law, or rule or regulation to the contrary.

A Certified Commercial Interior Designer shall be required to continue learning and stay abreast of current knowledge in the profession by completing continuing education units (CEUs). Continuing education shall be gained through coursework delivered in education units. [The quantity and content designation of education units (CEUs) shall be determined by the division of professional licensure.]

It shall be unlawful for any individual, who is not so qualified by reason of having passed such examination, or who does not have such experience to use the title 'Certified Commercial Interior Designer' or any title or device indicating that an individual is a 'certified commercial interior designer'.

Nothing herein shall prohibit any person from performing commercial interior design services or using the title 'commercial interior designer,' 'commercial interiors consultant,' 'commercial interior decorator' or the like, so long as the word 'certified' is not used in conjunction with the word 'commercial interior designer'.

Nothing herein shall authorize any individual to engage in the practice of architecture, engineering, or any other occupation regulated under the laws of this state or to prepare, sign or seal plans with respect to such practice or in connection with any governmental permits unless licensed or otherwise permitted to do so under such laws.

Any individual violating the provisions of this section shall be punished via a fine and/or one's registration revoked by the division of professional licensure.

Nothing in this section shall prohibit an employee of a retail establishment providing consultation regarding interior design, decoration, furnishings, furniture or fixtures offered for sale by such establishment from receiving compensation from such establishment.

Notwithstanding any general or special law to the contrary, an individual who has completed at least 10 years of full-time, diversified, verifiable professional experience in the profession of interior design shall be eligible for 'provisional

registration' provided that within twelve months after the first meeting of the board, said individual has applied for registration.

Said applicant, upon review and consent of the board, may be issued a 'provisional registration' and be given three calendar years from the first meeting of the board to provide substantial proof to the board of successful passage of the NCIDQ examination, at which time full registration will be granted. If proof is not provided to the board within the allotted time period, said applicant's 'provisional registration' shall be revoked and become null and void. Re-application, including satisfaction of all requirements at the time of re-application, shall be required for registration. During the time period of 'provisional registration,' said individual is required to maintain all current fees and uphold all requirements registration and renewal until such time as the examination requirement is fulfilled."

The amendment was *rejected*.

Ms. L'Italien moved that the proposed new text be amended by inserting at the end thereof the following new section:-

84

"SECTION XX: Section 45 of chapter 7C of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out subsection (a) and inserting in place thereof the following:

Section 45. (a) There shall be located within the executive office for administration and finance a designer selection board consisting of 13 members. 10 members shall be appointed by the governor; 3 of whom shall be registered architects, or currently unregistered but with at least 10 years' experience as an architect registered by a national council of architectural registration boards member board or who may be architects emeritus; 3 of whom shall be certified interior designers with not less than 10 years of experience as a National Council for Interior Design Qualifications certified Massachusetts interior designer; 2 of whom shall be registered engineers or currently unregistered but with at least 10 years' experience as a registered engineer and none of whom shall have a record of disciplinary action; and 2 of whom shall be representatives of the public who are not architects, engineers or construction contractors. 1 member shall be appointed by the Massachusetts State Association of Architects who shall be a registered architect. 1 member shall be appointed by the government affairs council of design professionals who shall be a registered engineer. 1 member shall be appointed by Associated General Contractors of Massachusetts who shall be general contractor. No member shall have a record of disciplinary action. Members shall be appointed for terms of 2 years and may be reappointed for no more than 1 successive 2 year term. The director shall designate a representative, who shall be the project manager in the case of a project under the jurisdiction of the office of project management, to act as a nonvoting member of the board for each project under his jurisdiction under consideration by the board. No provision of this section shall operate to reduce the tenure of members of the board serving at the time of the effective date of this section."

The amendment was *rejected*.

Ms. Lovely and Mr. O'Connor moved that the proposed new text be amended by inserting the following new sections:-

86

"SECTION XX. Section 64 of chapter 29 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting at the end thereof the following paragraph:-

The state treasurer, on behalf of the deferred compensation program, may adopt annual budgets and supplemental budgets as necessary. Said budgets may include salaries for treasury employees tasked with working on and/or administering the deferred compensation program, and said budgets may be funded from the

administrative expense account of the deferred compensation program. Any such treasury employee whose compensation is sourced from the deferred compensation program shall be an ‘employee’ as that term is defined in section 1 of chapter 32 and shall be a member of the Massachusetts state employees’ retirement system.

SECTION XX. Section 64E of chapter 29 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking, in lines 5 and 6, the following:- ‘and employing not more than 20 persons,’

SECTION XX. Said section 64E of said chapter 29 of the General Laws, as so appearing, is hereby further amended by inserting at the end thereof the following subsection:-

(g) Notwithstanding any general or special law to the contrary, the state treasurer, or designee, may seek to reduce operating expenses for the plan through private donations or grants, which may include direct and indirect fundraising.”

The amendment was *rejected*.

Mr. Tarr, Ms. Gobi, Messrs. Humason, Hinds, Ross, O'Connor and Tran moved that the proposed new text be amended by inserting after section __, the following 3 sections:-

92

“SECTION 14A. Section 6 of chapter 62 of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(u)(1) As used in this subsection, the following words shall have the following meanings unless the context clearly indicates otherwise:

‘ConnectorCare’, a program administered by the commonwealth health insurance connector authority established pursuant to chapter 176Q to provide premium assistance payments and point-of-service cost-sharing subsidies to residents of the commonwealth eligible pursuant to said chapter 176Q.

‘Employer Medical Assistance Contribution Supplement’ or "EMAC Supplement", a monetary amount actually paid by a taxpayer to the department of unemployment assistance pursuant to section 189A of chapter 149.

‘Employer Shared Responsibility Payment’, a monetary amount actually paid by a taxpayer to the Internal Revenue Service pursuant to 26 U.S.C. § 4980H as an assessment for employees domiciled in the commonwealth.

‘Full-time employee’, shall have the same meaning as defined in 26 U.S.C. § 4980H(c)(4).

‘Taxpayer’, an employer as defined in section 1 of chapter 151A subject to the income tax under this chapter.

(2) Except as otherwise limited by paragraph (3), where a taxpayer pays both the EMAC supplement and the employer shared responsibility payment in the same taxable year, a taxpayer shall be allowed a refundable credit against the tax liability imposed under this chapter in an amount equal to \$750 times the lesser of: (i) the number of Massachusetts employees for which the taxpayer pays the employer shared responsibility payment in the taxable year, or (ii) the number of full-time employees on ConnectorCare for which the taxpayer pays the EMAC supplement in the taxable year.

(3) The aggregate amount of credit available to a taxpayer in a taxable year under this subsection shall not exceed the lesser of: (i) the aggregate employer shared responsibility payment paid by the taxpayer in the taxable year, or (ii) the aggregate EMAC supplement paid by the taxpayer in the taxable year for full-time employees on ConnectorCare.

(4) The taxpayer may claim the credit only in the taxable year in which the taxpayer pays both the EMAC supplement and the employer shared responsibility payment, without regard to the years or other periods for which liabilities for such

payments accrued.

(5) Where the credit allowed to a taxpayer exceeds the liability otherwise due under this chapter, 100 per cent of the balance of that credit may, at the option of the taxpayer, be refunded to the taxpayer for the taxable year in which the credit is claimed or may be applied by the taxpayer to its estimated liability for the subsequent taxable year.

(6) The credit shall not be transferrable.

(7) For the purpose of this subsection, any deduction from gross income that may otherwise be taken with respect to any expenditures qualifying for the credit is disallowed to the extent that such expenditure is taken into account in the calculation of the credit.

(8) Notwithstanding the provisions of section 21 of chapter 62C and section 46 of chapter 151A, the department of unemployment assistance and the department of revenue shall conduct data matches for the purposes of administering this section.

(9) The commissioner shall, in consultation with the department of unemployment assistance, promulgate regulations to implement this section.

(10) The credit provided for in this subsection shall apply to taxable years beginning on or after January 1, 2018 and before January 1, 2020.

And moves to further amend the bill by inserting after section __, the following section:-

SECTION 15A. Chapter 63 of the General Laws is hereby amended by inserting after section 38FF the following section:-

Section 38GG. (a) As used in this section, the following words shall have the following meanings unless the context clearly indicates otherwise:

‘ConnectorCare’, a program administered by the commonwealth health insurance connector authority established pursuant to chapter 176Q to provide premium assistance payments and point-of-service cost-sharing subsidies to residents of the commonwealth eligible pursuant to said chapter 176Q.

‘Employer Medical Assistance Contribution Supplement’ or "EMAC Supplement", a monetary amount actually paid by a taxpayer to the department of unemployment assistance pursuant to section 189A of chapter 149.

‘Employer Shared Responsibility Payment’, a monetary amount actually paid by a taxpayer to the Internal Revenue Service pursuant to 26 U.S.C. § 4980H as an assessment for employees domiciled in the commonwealth.

‘Full-time employee’, shall have the same meaning as defined in 26 U.S.C. § 4980H(c)(4).

‘Taxpayer’, an employer as defined in section 1 of chapter 151A subject to an excise imposed by this chapter.

(b) Except as otherwise limited by subsection (c), where a taxpayer pays both the EMAC supplement and the employer shared responsibility payment in the same taxable year, a taxpayer shall be allowed a refundable credit against the tax liability imposed under this chapter in an amount equal to \$750 times the lesser of: (i) the number of Massachusetts employees for which the taxpayer pays the employer shared responsibility payment in the taxable year, or (ii) the number of full-time employees on ConnectorCare for which the taxpayer pays the EMAC supplement in the taxable year.

(c) The aggregate amount of credit available to a taxpayer in a taxable year under this section shall not exceed the lesser of: (i) the aggregate employer shared responsibility payment paid by the taxpayer in the taxable year, or (ii) the aggregate EMAC supplement paid by the taxpayer in the taxable year for full-time employees on ConnectorCare.

(d) The taxpayer may claim the credit only in the taxable year in which the taxpayer pays both the EMAC supplement and the employer shared responsibility payment, without regard to the years or other periods for which liabilities for such payments accrued.

(e) Where the credit allowed to a taxpayer exceeds the liability otherwise due under this chapter, 100 per cent of the balance of that credit may, at the option of the taxpayer, be refundable to the taxpayer for the taxable year in which the credit is claimed or may be applied by the taxpayer to its estimated liability for the subsequent taxable year. The credit allowed to a taxpayer shall not be subject to section 32C.

(f) The credit shall not be transferrable.

(g) For the purpose of this section, any deduction from gross income that may otherwise be taken with respect to any expenditures qualifying for the credit under this section is disallowed to the extent that such expenditure is taken into account in the calculation of the credit.

(i) The commissioner shall, in consultation with the department of unemployment assistance, promulgate regulations to implement this section.

(j) The credit provided for in this section shall apply to taxable years beginning on or after January 1, 2018 and before January 1, 2020.

And moves to further amend the bill by inserting the following 2 sections:-

SECTION X. Sections 14AA, 15A and 62A shall take effect on January 1, 2018.

(h) Notwithstanding the provisions of section 21 of chapter 62C and section 46 of chapter 151A, the department of unemployment assistance and the department of revenue shall conduct data matches for the purposes of administering this section.

SECTION 62A. A taxpayer may claim a credit in a taxable year pursuant to subsection (u) of section 6 of chapter 62 of the General Laws, as inserted by section 29, or section 38GG of chapter 63 of the General Laws, as inserted by section 30, but not both. Any EMAC supplement or employer shared responsibility payment may not be taken into account in calculating more than 1 credit by a taxpayer or combination of taxpayers. The terms used in this section shall have the meanings defined in said subsection (u) of said section 6 of said chapter 62 and said section 38GG of said chapter 63.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at seventeen minutes before three o'clock P.M., on motion of Mr. Tarr, as follows to wit (yeas 38 – nays 0) [**Yeas and Nays No. 465**]:

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.

Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.

UNCORRECTED PROOF.

Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.

Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – **38.**

NAYS – 0.

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

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

PAPER FROM THE HOUSE

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 removing fees for security freezes and disclosures of consumer credit reports (House, No. 4241) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2492),-- reported, a "Bill relative to consumer protection from security breaches" (House, No. 4806),-- came from the House, and was read.

Consumer credit reports,-- fee removals.

The rules were suspended, on motion of Ms. Creem, and the report was considered forthwith.

After remarks, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at a nine minutes before three o'clock P.M., on motion of Ms. L'Italien, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 466**]:

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.

Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – **38.**

NAYS – 0.

The yeas and nays having been completed at six minutes before three o'clock P.M., the report was accepted, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic
Development.

Messrs. Tarr, Collins and O'Connor moved that the proposed new text be amended by inserting after section _ the following section:-

96

"SECTION_. Section 3(a)(1) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby amended by inserting in the third line thereof, after the word 'entity,' 'and to establish and administer a third-party financing program'.

Section 3(g) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby amended by striking from the third sentence thereof the words "and remedies".

Section 3(g) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby further amended by inserting the following after the fifth sentence of such section:

'In the event a lien for property taxes of the municipality is foreclosed, the betterment assessment lien shall be extinguished solely with regard to any installments that were due and owing on the date of foreclosure of such tax lien, and the betterment assessment lien shall otherwise survive such foreclosure.'

Section 3(g) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby further amended by striking the words "judgment of" appearing in the seventh sentence thereof.

Section 3(g) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby further amended by striking the words "such judgment" appearing at the end of the seventh sentence thereof and inserting in place thereof "such foreclosure".

Section 3(h) of chapter 23M of the General Laws, as inserted by Chapter 188 of the Acts of 2016, is hereby amended by striking the remainder of the fifth sentence thereof after the word 'foreclosure' and inserting in place thereof 'in a manner consistent with the rights afforded a mortgagee under the provisions of section 21 of chapter 183, and an action of contract or any other appropriate action, suit or proceeding'."

The amendment was *rejected*.

Messrs. Collins, Crighton, Rush and Boncore moved that the proposed new text be amended by adding the following new section:

124

"SECTION XX. Section 1 of chapter 90 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the definition of "auto home" the following definition:-

'Autocycle', a three-wheel motor vehicle that has a steering wheel and seating that does not require the operator to straddle or sit astride it.

SECTION XX. Section 7 of said chapter 90, as so appearing, is hereby amended by inserting:

- in line 149, after the word 'motorcycle', the words 'or autocycle';
- in line, 149, after the word 'passenger', the words 'in an autocycle or';
- in line 153, after the word "motorcycle", the words "or autocycle"; and
- in line 154, after the words 'on such', the words 'autocycle or'.

SECTION XX. Section 8 of said chapter 90, as so appearing, is hereby amended

by adding at the end thereof the following new paragraph:-

Any person possessing a valid class D operator’s license shall be permitted to operate an autocycle."

The amendment was *rejected*.

Messrs. deMacedo and Humason moved that the proposed new text be amended by inserting the text of Senate document numbered 2649, relative to the Division of Insurance Accreditation Compliance.

138

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at ten minutes past three o’clock P.M., on motion of Mr. Tarr, as follows to wit (yeas 8 – nays 30) **[Yeas and Nays No. 467]:**

YEAS.

- | | |
|-------------------------|---------------------------|
| deMacedo, Viriato M. | O'Connor Ives, Kathleen |
| Fattman, Ryan C. | Ross, Richard J. |
| Humason, Donald F., Jr. | Tarr, Bruce E. |
| O'Connor, Patrick M. | Tran, Dean A. – 8. |

NAYS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| Boncore, Joseph A. | Jehlen, Patricia D. |
| Brady, Michael D. | Keenan, John F. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | L'Italien, Barbara A. |
| Collins, Nick | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Welch, James T. – 30. |

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

Ms. Gobi, Messrs. Humason, Hinds and O'Connor moved that the proposed new text be amended by inserting after section 4 the following new section:-

144

“SECTION XX. Section 63 of Chapter 23A of the General Laws, as appearing in the 2016 Official Edition, is amended by striking, in subsection (e), the following: ‘, and towns shall be eligible to receive 1 grant every 3 fiscal years’.”

After remarks, the amendment was adopted.

Ms. Creem and Mr. Lewis moved that the proposed new text be amended by inserting the following new section:-

148

“SECTION _ . Chapter 149 of the General Laws is hereby amended by adding the following section:-

Section 192. (a) To the extent not preempted by federal law, a provision in a contract waiving a substantive or procedural right or remedy relating to a claim of discrimination, nonpayment of wages or benefits, retaliation, or harassment in employment shall be unconscionable, void and unenforceable with respect to any such claim arising after the waiver is made. No right or remedy arising under this section, chapter, chapter 151B, common law, the constitution or a rule of procedure may be prospectively waived. If a provision of a contract is found to be unconscionable, void or unenforceable under this section, the remaining provisions

of the contract shall continue in full force and effect.

(b) Whoever enforces or attempts to enforce a waiver found to be unconscionable, void or unenforceable under this section shall be liable for reasonable attorneys' fees and costs.

(c) No person or employer shall take retaliatory action including, but not limited to, failure to hire, discharge, suspend, demote or discriminate in the terms, conditions or privileges of employment, or any other adverse action, against a person because the person refuses to enter into a contract that contains a waiver that would be unconscionable, void or unenforceable under this section.

A person aggrieved by a violation of this section may, within 3 years after the violation, commence a civil action in such person's own name and on such person's own behalf for damages and injunctive relief. If the court finds that a person was aggrieved by a violation of this section, the person may recover reasonable attorneys' fees and costs. The rights and remedies in this section shall not be exclusive and shall not preempt other available procedures and remedies for retaliatory actions including, but not limited to, those contained in section 150 of chapter 149 and section 4 of chapter 151B.

(d) The attorney general may enforce this section if the substantive or procedural right or remedy at issue arises under section 150.

(e) The Massachusetts Commission Against Discrimination may enforce this section if the substantive or procedural right or remedy at issue arises under chapter 151B.

(f) A person aggrieved by a violation of chapter 151B who seeks a remedy other than: (i) nonenforcement of a provision prohibited by this section; or (ii) reasonable attorneys' fees and costs for enforcement of a provision prohibited by this section shall seek such remedy under said chapter 151B.

(g) Nothing in this section shall expand or limit the use of collective bargaining agreements.

SECTION 2. Section 192 of chapter 149 of the General Laws shall apply to contracts entered into on or after the effective date of this act."

After remarks, the amendment was adopted.

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

Emergency Preambles.

An engrossed Bill providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (see House Bill printed in House, No. 4573), 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 10 to 0.

Affordable housing.

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

An engrossed Bill providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (see House Bill printed in House, No. 4668), 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

Life sciences.

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.

An engrossed Bill providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (see House Bill printed in House, No. 4669), 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 9 to 0.

Capital
improvements.

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

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic
Development.

Messrs. DiDomenico and Welch moved that the proposed new text be amended by adding the following new section:

158

“SECTION XX. Section 68 of chapter 23K of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting at the end the following paragraph:

(f) A municipal employee serving as a member of an advisory committee or subcommittee created by this section shall not violate section 4 of Chapter 268A by expressing the views of his employing municipality or regional planning agency during committee or subcommittee meetings or by receiving his usual compensation as a municipal employee or by performing the usual duties of his municipal employment, including acting as an agent or attorney for the municipality or regional planning agency, in relation to particular matters in which he participated or which are, or in the prior year have been a subject of his official responsibility as a member of the advisory committee or subcommittee or which are pending before the advisory committee or subcommittee.”

The amendment was *rejected*.

Ms. Gobi, Messrs. Humason and Hinds moved that the proposed new text be amended by inserting, in line 223, after the word "Officials" the following:- “; 1 member of the Massachusetts rural policy advisory commission”.

159

After remarks, the amendment was adopted.

Messrs. Humason and Ross, Ms. Gobi and Mr. O'Connor moved that the proposed new text be amended by adding at the end thereof the following new section:

163

“SECTION XX. Subsection (b) of section 3D of chapter 23A of the General Laws, as so appearing, is hereby amended by striking out, in line 44, the figure ‘\$5,000,000’ and inserting in place thereof the following figure:- ‘\$7,500,000’.”

The amendment was *rejected*.

Messrs. deMacedo, O'Connor and Tarr moved that the proposed new text be amended by inserting the following new section:-

218

"SECTION XX. There shall be a task force to study and develop recommendations on the impact of annual closures of Cape Cod Bay to protect the right whale population on the Massachusetts fishing industry. The task force shall

consist of the following members or their designees: the commissioner of the department of conservation and recreation, who shall serve as chair; the secretary of labor and workforce development; the director of the division of marine fisheries; and 4 persons to be appointed by the governor, 1 of whom shall be a representative from the Massachusetts lobstermen's association, 1 of whom shall be a representative from the Cape Cod Commercial fishermen's alliance, 1 of whom shall be a representative from the Massachusetts fishermen's partnership, and 1 of whom shall be a representative from the Gloucester fishermen's wives association.

The task force shall: (i) research the financial impacts on individual fishermen and the fishing industry as a whole of the annual closure of Cape Cod Bay to protect the right whale population; (ii) investigate additional impacts of emergency closures of Cape Cod Bay in instances when the right whale population stays beyond May 1; and (iii) research existing programs to assist fishermen who are unable to earn a living based on external factors beyond their control.

The task force shall apply its findings to develop recommendations on the following: (i) the necessity of a program to provide temporary aid for fishermen who are unable to fish due to the closure of Cape Cod Bay; (ii) the necessity of a program to provide temporary aid to fishermen for emergency closures of Cape Cod Bay beyond May 1 of any given year; and (iii) the feasibility of any such temporary aid program including mechanisms for funding and disbursement.

Not later than December 31, 2018, the task force shall submit a report on the results of its investigation and study and its recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nineteen minutes before four o'clock P.M., on motion of Mr. deMacedo, as follows to wit (yeas 38 – nays 0) **[Yeas and Nays No. 468]:**

YEAS.

Barrett, Michael J.	Jehlen, Patricia D.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
Crighton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	O'Connor Ives, Kathleen
deMacedo, Viriato M.	Pacheco, Marc R.
DiDomenico, Sal N.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Friedman, Cindy F.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
Hinds, Adam G.	Tran, Dean A.
Humason, Donald F., Jr.	Welch, James T. – 38.

NAYS – 0.

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

Mr. Boncore moved that the proposed new text be amended by inserting the

223

following new section at the end thereof:-

“SECTION XX. The Massachusetts Department of Transportation shall submit an application to the United States Department of Transportation for funding in federal fiscal year 2019 for the Surface Transportation System Funding Alternatives Program established in the Fixing America’s Surface Transportation Act, or FAST Act, to be used for a vehicle miles traveled pilot program that shall be made available to not more than 500 volunteer participants. If the application is not successful, the Massachusetts Department of Transportation shall thereafter apply in each federal fiscal year in which grants are made available for demonstration projects under this federal program or until the application results in funding for a vehicle miles traveled pilot program, whichever first occurs.”.

The amendment was *rejected*.

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

234

"SECTION XX. Chapter 40, Section 54A of the General Laws, as appearing in the most recent edition, is hereby amended by striking the first paragraph in its entirety and inserting in place thereof the following:

Section 54A. (a) If a city or town or any other person purchases any former railroad right-of-way in the commonwealth, no permit to build a structure of any kind on land so purchased shall be issued by any city or town in the commonwealth without first obtaining the consent (or a determination of inapplicability) in writing to the issuance of such permit from the secretary of the department of transportation. The department of transportation shall establish an application process, applicable time frames and review guidelines that may require a public hearing component depending on when the former railroad right-of-way was last used by the railroad. As used in this section 54A, the term ‘former railroad right of way’ shall mean any property either formerly owned in fee by a railroad company and used as a railroad right-of-way or any property formerly subject to an easement held by a railroad company and used as a railroad right-of-way."

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-8023, by striking the number "\$50,000,000" and inserting in place thereof the number "\$51,000,000".

248

The amendment was *rejected*.

Mr. Pacheco in the Chair, Messrs. Rush and O'Connor moved that the proposed new text be amended by adding the following sections:-

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“SECTION XX. Notwithstanding any general or special law to the contrary, the administration of the office of public safety and inspections at the division of professional licensure may establish a separate fee for elevator inspections occurring before or after normal business hours with one third of the funds being kept by the division and to defray the costs associated with performing overtime elevator inspections and provided further that the division shall employ more than 70 full time equivalent elevator inspectors.

SECTION XX. Section 22 (a) (5) of chapter 22 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding after ‘under this section;’ the following: ‘and further provided, however, that any fines assessed under section 65 of chapter 143 shall be calculated solely in accordance with said section 65.’

SECTION XX. Section 65 of chapter 143 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended, in line 21, by inserting after ‘inspector.’ the words ‘30 days prior to the expiration of an elevator's inspection

certificate, if payment has not been received, the department shall notify the owner and service contractor in writing and add those permit fees into the associated cart of the owner or service contractor on the State's Inspections and Permitting System'.

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 24, by inserting after 'certificate.' the words 'The commissioner or the commissioner's designee will waive all of the \$100 per day fine when a clerical error made by either the state or the applicant is identified to have caused the failure to comply with this section and there was no risk of injury to the public. Clerical errors either by the applicant or the state include but are not limited to inadvertent errors on the application for annual inspection, data entry mistakes and technical issues within the DPS portal system, exclusion of one device when request(s) for inspection of other devices at same location is filed on time, inconsistency of elevator certificate anniversary date, and problems deriving from change in maintenance companies. This provision will not apply in cases where the department determines that the applicant is abusing the clerical error exemption provided therein.'

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 35, by striking out the figure '\$5,000' and inserting in place thereof the figure '\$2,500'.

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 36, by striking out the figure '\$20,000' and inserting in place thereof the figure '\$10,000'."

The amendment was *rejected*.

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

Engrossed Bills.

The following engrossed bills (all 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 Acting President (Mr. Pacheco) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation, to wit:

Exempting Brian M. Belfiore from civil service maximum age requirements for the position of firefighter in the city of Haverhill (see House, No. 4186);

Providing for the terms of certain bonds for affordable housing to be issued by the Commonwealth (see House Bill printed in House, No. 4573);

Providing for the terms of certain bonds for continued investment in the life sciences industry to be issued by the Commonwealth (see House Bill printed in House, No. 4668);

Providing for the terms of certain bonds for capital improvements to be issued by the Commonwealth (see House Bill printed in House, No. 4669); and

Relative to consumer protection from security breaches (see House, No. 4806).

Bills laid before the Governor.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic Development.

Messrs. Montigny and Rodrigues moved that the proposed new text be amended by inserting the following new section:-

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"SECTION __. (a) Notwithstanding any general or special law to the contrary, the commissioner of capital asset management and maintenance, on behalf of and in consultation with the department of conservation and recreation, may lease, for a term not to exceed 35 years, inclusive of any options for renewal or extension of such lease, all or a portion of the land, tidelands and piers, together with the buildings, structures and appurtenances thereon, known as the New Bedford State Pier and the Fall River State Pier located in the cities of New Bedford and Fall River, respectively, to the Massachusetts Development Finance Agency established in chapter 23G of the Massachusetts General Laws, or any affiliated or subsidiary entity controlled by the Massachusetts Development Finance Agency, to be used for public purposes.

(b) The lessee may sublease all or portions of the piers and buildings and facilities located thereon to one or more public or private entities for commercial, industrial and other uses that the lessee determines will serve a public purpose, including without limitation the public purpose of generating revenue for the upkeep, maintenance and improvement of the New Bedford State Pier and the Fall River State Pier; provided however, neither the New Bedford State Pier nor the Fall River State Pier shall be used to support facilities for offshore oil and gas exploration or development; provided further that no person or entity or group of affiliated persons or entities shall be permitted the exclusive use of either the New Bedford State Pier or the Fall River State Pier; provided further, that the unexpended balance in item 6720-1350, as authorized pursuant to chapter 286 of the acts of 2014, shall be made available for the purposes of and subject to the conditions stated in the original authorizations and any amendments to such authorization; and provided further, that any use of either the New Bedford State Pier or the Fall River State Pier shall conform to conditions set forth in 310 C.M.R. 9.00 to support public and private efforts to revitalize unproductive property along the New Bedford and Fall River waterfronts, in a manner that promotes public use and enjoyment of the water."

The amendment was adopted.

Mr. Cyr moved that the proposed new text be amended in section 4, by adding the following after line 129:-

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"(e) Notwithstanding subsections (b) and (c), the EACC shall, by guideline or regulation, establish a program to incentivize businesses to hire and retain new, permanent, full-time employees in the commonwealth, provided however that the business shall not be required to invest in improvements to receive tax credits as part of the program established under this subsection."

The amendment was *rejected*.

Messrs. Feeney, Crighton and Welch, Ms. Gobi, Mr. Fattman, Ms. L'Italien, Messrs. O'Connor, Moore, Cyr and Collins moved that the proposed new text be amended by inserting after section 22, the following section:-

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"SECTION 23. (a) Words used in this section shall have the same meanings as those provided in chapter 32 of the General Laws unless the context clearly requires otherwise; provided, however, that 'trial court reporter' shall mean the full-time position of court reporter in the trial court of the commonwealth.

(b) Notwithstanding chapter 32 of the General Laws or any other general or special law to the contrary, the state board of retirement shall establish and implement a retirement incentive program for trial court reporters as set out in this section.

An individual shall be eligible for the trial court reporter retirement incentive

program if the individual is: (i) employed as a trial court reporter or on an authorized leave of absence from the position of trial court reporter, as certified by the trial court to the state retirement board and as of the effective date of this section and through the date of retirement established in subsection (c); (ii) a member in service of the state employees' retirement system pursuant to clause (i) of paragraph (a) of subdivision (1) of section 3 of chapter 32 of the General Laws as of the effective date of this section; (iii) classified in Group 1 of the state employees' retirement system pursuant to paragraph (g) of subdivision (2) of said section 3 of said chapter 32 as of the effective date of this section; (iv) eligible to either: (A) receive a superannuation retirement allowance pursuant to subdivision (1) of section 5 of said chapter 32 or subdivision (1) of section 10 of said chapter 32 as of the date of retirement established in said subsection (c); or (B) would be eligible for such retirement allowance as of the date of retirement established in said subsection (c) if the incentive is awarded; (v) not already retired under said chapter 32 or otherwise separated from service from employment with the commonwealth; and (vi) file a timely correctly completed application with the board pursuant to said subsection (c).

A trial court reporter shall not be eligible to receive any benefit from the trial court reporter retirement incentive program if the trial court reporter: (i) receives compensation funded from a capital appropriation, federal grant or trust as each is defined in section 1 of chapter 29 of the General Laws as of the filing date for the application pursuant to subsection (c); (ii) is a member of the state employees' retirement system who, as of the effective date of this section, is not contributing to the retirement system or has not completed reinstatement pursuant to section 105 of said chapter 32.

A trial court reporter's eligibility for the trial court reporter retirement incentive program under this section, and determinations including, but not limited to, creditable service, the amount of retirement allowance, group classification and the processing of applications filed shall be made by the state board of retirement.

A trial court reporter eligible under this section, shall not utilize the spousal benefit established in section 322 of chapter 149 of the acts of 2004 in combination with the benefit options provided in subsection (d).

(c) Notwithstanding section 5 of chapter 32 of the General Laws, the state board of retirement shall receive an eligible trial court reporter's application for retirement not later than June 1, 2018 in order for the trial court reporter to be eligible to receive the retirement benefit provided in this section. The retirement date requested in an eligible trial court reporter's application shall be June 30, 2018. The application for retirement may be delivered to the board in person, by mail or in any other manner as the board may approve, including by electronic means. The application of the retirement incentive provided by this section shall not be deferred to a later date. Once the effective date of a trial court reporter's retirement has occurred, an employee qualifying under this section shall not withdraw the trial court reporter's retirement application that has been filed and shall not be authorized to make any changes to the retirement application or option selection unless otherwise authorized by the state board of retirement.

(d) The state board of retirement shall credit a trial court reporter with an additional retirement benefit pursuant to this section if a trial court reporter otherwise meets the requirements of the program. Each trial court reporter shall request to receive a combination of years of creditable service and years of age, in full-year increments; provided, however, that the sum of the years of creditable service and years of age shall not be greater than 5 years, as determined by the state retirement

board, to determine the trial court reporter's superannuation retirement allowance pursuant to paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws.

Notwithstanding the credit, the total normal yearly amount of the retirement allowance, as determined pursuant to said section 5 of said chapter 32, of a trial court reporter who retires and receives the retirement incentive program benefit shall not exceed $\frac{4}{5}$ of the average annual rate of the trial court reporter's regular compensation as determined by section 5 of said chapter 32.

A trial court reporter shall not utilize the incentive program under this section to qualify for any other rights or benefits pursuant to chapter 32 of the General Laws. A trial court reporter that retires and receives an additional retirement benefit pursuant to this section shall be considered retired for superannuation pursuant to said chapter 32 and shall be subject to said chapter 32. A married trial court reporter who retires and receives an additional benefit pursuant to this section shall be subject to the requirements of the second paragraph of subdivision (1) of section 12 of said chapter 32.

Notwithstanding paragraph (a) of subdivision (2) of section 5 of chapter 32 of the General Laws, an eligible trial court reporter retiring under the trial court reporter retirement incentive program who has served in more than 1 group shall receive a retirement allowance as if the trial court reporter served only as a Group 1 employee for the entire length of state service and shall not receive a retirement allowance consisting of prorated benefits based upon the percentage of total years of service that the trial court reporter rendered in each group.

Paragraph (c) of subdivision (8) of section 3 of chapter 32 of the General Laws shall apply to the creditable service added and the increased retirement allowances derived as a result of the additional years of service or age provided by this section.

(e) If requested, the state board of retirement shall provide retirement counseling to trial court reporters who apply to retire under the trial court reporter retirement incentive program. Counseling by the board shall include, but not be limited to: (i) a full explanation of the retirement benefits provided by the trial court reporter retirement incentive program; (ii) a comparison of the expected lifetime retirement benefits payable to a trial court reporter under the retirement incentive program and pursuant to chapter 32 of the General Laws; (iii) an explanation of the election of a retirement option pursuant to section 12 of said chapter 32; (iv) restrictions on employment after retirement through the trial court reporter retirement incentive program; (v) laws relative to the payment of cost-of-living adjustments to the retirement allowance; and (vi) the effect of federal and state taxation on retirement income. The group insurance commission shall provide counseling regarding the provision of health care benefits pursuant to chapter 32A of the General Laws. Each trial court reporter shall sign a statement that the trial court reporter has received counseling or elected not to receive counseling prior to the approval by the board of the trial court reporter's application for superannuation benefits and the additional benefit provided under this section.

(f) Pursuant to section 98 of chapter 32 of the General Laws, the state treasurer through the state retirement board may make advance payments in an amount not to exceed 50 per cent of the initial benefit payment of retirement allowance actually due and under any terms and conditions the state board of retirement may prescribe to a trial court reporter who is eligible for retirement under the retirement incentive program and who does not receive a retirement allowance within 90 days after the effective date of retirement. Section 91 of said chapter 32 shall not apply for calendar year 2018 to any previously retired trial court reporters of the state board of

retirement engaged to implement this section.

The board shall deny an application for the retirement incentive program under this section by a trial court reporter who belongs to a bargaining unit for which a collective bargaining agreement inconsistent with this section is in effect at the time of the application unless the employee organization representing the trial court reporter has filed with the board and the secretary of administration and finance a statement waiving any inconsistent provisions of the agreement on behalf of all members of the bargaining unit who file applications for the retirement incentive program under this section.

(h)(1) Notwithstanding section 91 of chapter 32 of the General Laws, a trial court reporter retired under this section shall not be reemployed in the service of the commonwealth, whether as a consultant, an independent contractor or a person whose regular duties require time devoted to the service of the commonwealth, within 30 days after the date of their retirement. A member who retired under the trial court reporter retirement incentive program shall be eligible for reinstatement under section 105 of said chapter 32.

(g) Notwithstanding any general or special law or collective bargaining agreement or other employment contract to the contrary and in consideration of the benefits conferred in this section, a trial court reporter who elects to retire under this section and is eligible to receive a payment in lieu of accrued vacation time, unused sick leave or other benefit under the collective bargaining agreement or other employment contract shall receive payment by September 1, 2018. A trial court reporter who elects to retire under this section shall sign a statement that the trial court reporter has agreed to receive the payment according to the schedule outlined in this section prior to the approval of the trial court reporter's application for superannuation benefits and the additional benefit provided by this section by the state board of retirement.

(2) If a trial court reporter approved for the trial court reporter retirement incentive program under this section qualifies for a subsequent retirement under section 105 of chapter 32 of the General Laws, the additional combination of years of creditable service and years of age applied herein shall not be applied in any subsequent retirement calculation pursuant to said section 105 of said chapter 32.

(i) Notwithstanding this section, an otherwise eligible trial court reporter may, in the alternative, apply to retire pursuant to section 5 or section 10 of chapter 32 of the General Laws without the benefit of the trial court reporter retirement incentive program; provided, however, that application for such retirement shall be made under subsection (c).

(j) The public employee retirement administration commission shall conduct an actuarial analysis of the impact to the commonwealth's unfunded pension liability attributable to the retirement incentive provided in this section. The analysis shall be filed with the house and senate committees on ways and means, the executive office for administration and finance and the state retirement board not later than December 31, 2018. The trial court shall be responsible to the state employees' retirement system for funding any additional pension liability attributable to the retirement incentive provided in this section. Funding shall occur pursuant to a schedule established by the actuary and the state retirement board."

The amendment was *rejected*.

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

"SECTION_. There shall be an independent contractor task force to study and make recommendations on independent contractor status in the commonwealth. The

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task force shall consist of the following members or their designees: the secretary of housing and economic development; the secretary of labor and workforce development; the attorney general; the house chair of the joint committee on labor and workforce development who shall serve as co-chair of the task force; 1 person to be appointed by the speaker of the house of representatives; 1 person to be appointed by the minority leader of the house of representatives; the senate chair of the joint committee on labor and workforce development who shall serve as co-chair of the task force; 1 person to be appointed by the senate president; 1 person to be appointed by the minority leader of the senate; and 6 persons to be appointed by the governor, 1 of whom shall be an economist experienced in labor and workforce development; 1 of whom shall be an attorney experienced in labor and workforce development; 2 of whom shall be representatives from labor unions selected from a list of 3 nominees from the Massachusetts Building Trades Council and 2 of whom shall be representatives from business associations.

The task force shall study and make recommendations on independent contractor status in the commonwealth and shall examine the practices of neighboring states and other relevant jurisdictions. The task force shall provide an analysis of: (i) individuals who are required to be classified as employees who should be, or wish to be, classified as independent contractors; (ii) individuals misclassified as independent contractors who should be classified as employees; (iii) uncertainty of independent contractor or employee status due to the burgeoning shared and on-demand economy in the commonwealth (iv) the economic impact of an employee or independent contractor designation on an individual and on the employer or party relying on the services of an independent contractor or employee; and (v) models of employee classification in other jurisdictions including, but not limited to, a dependent contractor designation.

The task force shall convene its first meeting not later than 90 days after the effective date of this act and shall submit a report, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and house of representatives, the joint committee on labor and workforce development and the house and senate committees on ways and means not later than December 31, 2019."

The amendment was adopted.

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

Engrossed Bill — Land Taking for Conservation Etc.

An engrossed Bill authorizing the city of Northampton to release a certain conservation easement and conservation restriction (see Senate, No. 2512) (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 eighteen minutes past four o'clock P.M., as follows, to wit (yeas 38 - nays 0) [Yeas and Nays No. 469]:

Northampton,--
conservation
easement.

YEAS.

Barrett, Michael J.
Boncore, Joseph A.

Jehlen, Patricia D.
Keenan, John F.

UNCORRECTED PROOF.

Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.

Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – 38.

NAYS – 0.

The yeas and nays having been completed at twenty-five minutes past 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 Acting President (Mr. Pacheco) and laid before the Governor for his approbation.

Remarks of Senator President Harriette L. Chandler.

Friends:

Thank you.

You all know me as a woman who values accomplishment over winning, and efficiency over pomp. And as such, I recognize that we have a lot of work yet to do tonight.

That said, I hope you will indulge me as I offer a few words to recognize you, this body, and this moment.

To begin, I would like to thank those of you who have come to the chamber.

Over the past eight months, it has been one of my greatest joys to develop a relationship with Speaker Robert DeLeo and to work closely with the Governor and Lieutenant Governor on behalf of Massachusetts.

I am grateful for your support of the Senate, and for your lifelong friendship.

Tomorrow, I officially step down from the rostrum and the Senate presidency. At that time, I intend to return to my own policy work, much in the profile and manner I maintained throughout my career prior to December.

But when I do so, I return to a body with a newfound perspective and respect for our members and our work.

It is no secret that I carry a deep love and respect for this institution. As one of the oldest legislative bodies in this country, we carry a profound responsibility to serve as a beacon for the world, representing the enduring promise of democracy, and demonstrating the power and freedom provided by a government of the people, for the people.

Throughout this session, in the midst of one of our most trying times, this body showed what it truly is made of.

And when I say this body, I refer to more than just the members---Rather, I refer to the staffers, the professional staff, those who support us and this building behind

Remarks of Senator
Harriette L.
Chandler.

the scenes each day. Each of you contributed to a productive session, and I am deeply appreciative.

I step down from this post knowing that we've had a successful session.

Over the past eight months, we have triumphed over those who believe their profit lies in our chaos, and those who attempted to capitalize on a tragic moment for our body.

To those seekers and sowers of discontent, I say to you: before me stands a body that rose above the noise, elevated the conversation, and ignored distractions in the name of the greater good.

Our accomplishments are manifest: We passed landmark criminal justice reform; empowered regional transportation; raised the minimum wage; expanded paid family leave; fought back against net neutrality rollbacks; banned bump stocks; and fought for a cleaner, greener, healthier environment for future generation. We passed automatic voter registration; prevented wage theft, and expanded access to contraception coverage.

In January, I came before you and stated our intention to stand for a set of fundamental ideals. I said we would fight for the future of the Massachusetts family, for economic equity, for vulnerable populations, and for a state that allows all to prosper.

We have done so. And in the midst of a national morass of darkness, we once again have served as a beacon of light for those seeking a progressive future. We have passed vital legislation on behalf of women, immigrants, families, children, and the under-represented.

We have fought for transportation, for housing, and for smart growth. And we continue to fight for improved healthcare and opioid legislation.

As we promised, we stood as a bastion of protection for Massachusetts residents against a federal government focused on tearing each other down rather than raising us all up.

We have accomplished all of that only because of the people in this room.

Indeed, if I had any success as Senate President, it is because my colleagues stepped up, each in your own individual ways over the past eight months to ensure we kept moving.

I'm proud of your resiliency, and your hard work this session.

Thank you. You made my short time in the office a pleasure, and I look forward to continuing our work together.

The truth is, I never asked for this role. I was a reluctant seat holder. But I thoroughly appreciated seeing the Senate from this viewpoint, and learned quite a lot.

One of my greatest lessons over the past eight months has been that, particularly in this body, despite our disagreements, every voice deserves to be heard.

You may have noticed that, on many occasions, I've very literally wanted to make sure people are heard. With that in mind, for one final time, I would like to say: "Members, please subdue your conversation."

You know, I've been asked many times how I feel about the limited time I have in this role. The truth is that this shortened period has given me a degree of freedom that many don't have.

Too often in this building, as we do in life, we get caught up in the stakes of winning and lose sight of actually accomplishing the vital tasks at hand. That is a missed opportunity. "Victory, simply for the sake of achieving it, means nothing," said Al Smith.

As we turn a page, I urge all of us to shift that view: We must be a body of

“what can we do?” not “who can we beat?”

In these times, more than ever, we have a solemn calling to do so. Because the people who send us here have businesses to grow, children to raise, loved ones to care for, food to put on the table, dreams to aspire to.

We must persist because, at our best, we are a body that works together to make good on that sacred promise we make with them to make their lives a little bit better - in increments or giant leaps - as we represent their stake in government, and government’s role in society.

The fact is, many out there would have had us just follow the lead of other states. Or to phone it in. Or to quiver under pressure of the federal government.

But we’re from Massachusetts. We don’t wait for someone else to tell us what to do or which direction the wind is blowing or which way the path is going to go.

We set the path. By way of those who settled here thousands of years ago; on the backs of fishermen and laborers and soldiers; the small business owners of Main Street and through the immigrants landing on our hopeful shores this very afternoon, we write the future. And we will always serve as that city on a hill.

I am proud of this transition for many reasons. Today marks the first time in the history of Massachusetts that a legislative body has turned from a woman to a woman as its leader.

And in a time when our NASTY Women bill, repealing archaic anti-women statutes, went from punch line to national story for its timeliness, I think it’s worth pausing to celebrate just how momentous this transition is.

When I was young, women didn’t do things like this. They didn’t become Senate Presidents...or Senators...or, for that matter, go to graduate school. I was an anomaly then. I was told, repeatedly, to stay home with the children, rather than to further my career or academic interests.

“Women don’t do that,” they said.

And the sexism continued as I aged---“Shouldn’t she just retire?” How many men get asked the same thing?

Yet here I am.

If I have one regret as I close my term, it is that the opportunities to lead in government weren’t readily apparent or modeled to me as a young woman.

At the same time, what I’m proudest of as I turn this gavel over to my friend Karen Spilka is that we women in power are not anomalies any more. We’re not to be gawked at, laughed at, or trifled with. We’re not tokens or oddities or sideshows.

We are entering an age when the power of women is no longer a question, but an answer to the problems plaguing our world.

We have seen evidence of this throughout the past eight months.

On so many issues, housing...criminal justice...reproductive rights, the advocacy that influenced us was led by young women looking to change the world.

At no time was that more true than during the debate over ERPO. Our chambers were filled with the next generation of leaders, many of them young women, standing up to ensure that Massachusetts continues to lead the nation in gun laws. The landmark legislation would not have passed without them.

To those young women at home; to the pages and staffers in the chamber tonight...I urge you to keep striving.

I am encouraged by them and by the next generation of leaders as a whole---which is why I am so proud that today, on my final day, we are enacting landmark civics legislation providing quality experiential civic learning to every student in this great Commonwealth. With this law, every child will experience the power government can have in our lives.

We in Massachusetts, as in the country, now confront an ever-changing face of the future. Those who lead us through to the other side, I believe, will come more from the ranks of our children and grandchildren's classrooms than from the ranks of this room.

...

To finish this evening, I have a list of thank yous.

First, my family. My three children, including my oldest son and his children, who are with us here today, as well as my beloved husband of 59 years who has been my partner and my source of strength and encouragement.

This would have been impossible without you.

Thank you to our building and maintenance crew.

To the LIS team: Thank you.

Thank you to Billy Rinaldi and the business office.

Thank you to the HR team, Cathy Flewelling, Beth Zodda, and Kathleen Buckley.

To the pages and Court Officers who keep this place running: Thank you.

And thank you to the rangers who protect us each day.

Please, a round of applause.

I would like to thank Clerk William Welch and his team: Michael Hurley, Stacey LeMay, Andrea Crighton, Tom Simeone and everyone in the office.

Jennifer Miller, and our dedicated Senate Counsel staff: Brandon Rios, John Moreschi and Amy Nable, Cookie, and the rest of the staff: Thank you

I would also like to thank Natasha Perez, Rosalie DeCosta, and Molly Cahill for their professionalism and dedication to ensuring that the Senate continued operating smoothly at all times.

And as I said when we wrapped up the budget session, when I inherited this office, I also inherited the most talented group of staffers possible. They have handled exceptionally challenging situations with grace, professionalism, and brilliance. Together with my team from the Majority Leader's office, and a few people we brought in, I feel absolutely blessed to be surrounded by some of the best minds in government, dedicated to ensuring that the Senate operates at its highest level, each day.

Tonight, I would like to end my speech by thanking all who served in the Senate President's office since December. In no particular order:

Stephen Maher

Suzanne Morrison

Joe Beebe

DJ Napolitano

Megan Montgomery

Margaret Randall

Zoe Magid

Ali Hart

Kevin Connor

Scott Zoback

Jim DiTullio

Anna Freedman

Bryan Barash

Mark Dailey

David Sullivan

And lastly, my incomparable Chief of Staff, Laura Paladino. I hired Laura as a page, and these past eight months, I've seen her consistently meet and rise above

every challenge thrown her way with a grace and poise beyond her years. No one in politics is irreplaceable, but Laura comes as close as possible. She is an asset to this building, and I believe she deserves a special round of applause.

Now, after a bit more work tonight, I return to the membership of this body with a unique perspective on the Senate...on its promise and its blemishes alike.

I carry with me that vital perspective as I return to the daily work of pushing my own legislation, and furthering our collective work...I hope to be a resource to all of you as we continue towards our shared goals.

In January, I quoted Maria Stewart, one of our nation's early pioneers for equality, who said, "Talk, without effort, is nothing." Those words ring even more true to me today than in January.

History will judge us not on the words uttered on this floor, but on the dedication we show to bettering the lives of those who have entrusted these seats to us.

I hope that at this point, my views are clear: The need for public service persists. Our work today is history tomorrow. And though we may quarrel with each other, we continue to be unified with an idealistic belief that we can change lives, change Massachusetts, and change the world for the better.

It must never be about us.

Thank you for standing with me.

Thank you for standing for Massachusetts.

And thank you for placing your faith in me to lead this body at a dark moment. It is my only hope that I lived up to your expectations, and that I leave the Senate on firm ground to be a beacon of light into the future.

As we go forward, maintain belief in the greatness of Massachusetts, and in each other, to make it an ever greater Commonwealth.

With that, there is still legislating to be done tonight, so I bring these comments to a close, in much the way I did at the beginning of my time in January:

Let's get back to work.

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

Ordered printed.

Engrossed Bill.

An engrossed Bill to promote and enhance civic engagement (see Senate, No. 2631) (which originated in the Senate), **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.**

Bill laid before the Governor.

Recess.

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

Recess.

Suspension of Senate Rule 38A.

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

Senate Rule 38A.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic
Development.

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

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, \$1,050,000 shall be expended for repairs and improvements to Main Street gateway and improvements included in Dean park master plan in the town of Shrewsbury”.

4

Mr. Rodrigues moved that the proposed new text be amended in section 2A, item 7002-1120, by inserting at the end thereof the following:- “; provided further, that not less than \$1,000,000 shall be expended for the dredging of waterways, beach nourishment, dune restoration and other ecological improvements to support the Swansea Waterfront Revitalization project in the Town of Swansea;”.

5

Messrs. Rodrigues and Brady moved that the proposed new text be amended in section 2A, item 7002-1120, by inserting at the end thereof the following:- “; provided further, that not less than \$15,000,000 shall be expended for dredging in the waterways and the construction, rehabilitation and repair of on-shore facilities located at Brayton Point in the Town of Somerset to support the growth and expansion of the off-shore wind-driven electricity generating projects;”.

6

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$5,000,000 shall be expended for water and sewer infrastructure along state highway route 140 in the town of Upton”.

7

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, \$1,050,000 shall be expended for façade improvement program and improvements to the Pakachoag municipal golf course and Brotherton Way in the town of Auburn”.

8

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, \$650,000 shall be expended on Four Corners downtown revitalization project in the town of Millbury”.

9

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, not less than \$100,000 shall be expended for the development of a water and sewer economic infrastructure feasibility study and master plan in the Town of Leicester”.

10

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, \$500,000 shall be expended on the redevelopment of Bolack Plaza in the town of Grafton”.

11

Messrs. Moore and Fattman moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$500,000 be expended to the town of Northbridge for the urban renewal and redevelopment of the downtown area; provided further, that not less than \$400,000 be expended to the town of Northbridge for the property redevelopment study”.

12

Mr. Moore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, \$2,050,000 shall be expended on renovations to the Fanning building in the city of Worcester”.

13

Mr. Tarr moved that the proposed new text be amended by inserting in item 7002-1120, at the end thereof the following:- “provided further, at least \$1,300,000 shall be expended for new equipment and technological improvements to combine Next-Gen Sequencing with High Performance Technology and Big Data Analytics to mine the rich genetic diversity of marine organisms for a joint proposal of the Ocean Genome Legacy/Northeastern Marine Science Center (OGL/MSC) and Gloucester Marine Genomics Institute”. 18

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$500,000 shall be expended for the replacement and renovation for the water main in the Town of Ipswich”. 20

Mr. Rodrigues moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further, that not less than \$500,000 shall be expended for a re-use study of the old Westport High School site in the Town of Westport”. 21

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended for signalization on route 1 in the town of Rowley”. 22

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$500,000 shall be expended for signalization on Main Street in the Town of Wenham”. 23

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding after the word “Laws”, the following:- “provided further, that not less than \$1,500,000 shall be expended for the construction of a police station facility in the town of Newbury.” 26

Mr. Lewis moved that the proposed new text be amended in section 2, in item 7002-1120, by inserting the following:- “provided further, that not less than \$1,000,000 shall be expended to the development and improvement of the Waterfield lot in the Town of Winchester;”. 29

Mr. Lewis moved that the proposed new text be amended in section 2, in item 7002-1120, by inserting the following:- “provided further, that not less than \$3,000,000 shall be expended for downtown revitalization and infrastructure upgrades in the City of Malden;”. 31

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- "provided further, that not less than \$2,500,000 be expended for the Buzzards Bay Water District to expand capacity by installing a new tank and piping;". 34

Mr. Lewis moved that the proposed new text be amended in section 2, in item 7002-1120, by inserting the following:- “provided further, that not less than \$1,000,000 shall be expended for downtown revitalization and infrastructure upgrades in the Town of Reading;”. 38

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that \$1,000,000 shall be provided to the Berkshire Strategic Alliance Foundation for the Berkshire Blueprint Partnership Fund”. 39

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that \$75,000 shall be expended to the Historic Route 20 Association for development of the Gateway Hilltowns Visitors Center”. 40

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that not 41

less than \$800,000 shall be provided to the city of Pittsfield for upgrades to the Gordon Rose Technology Park Pump Station”.

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that \$1,500,000 shall be provided to Rural Commonwealth for the Franklin County 8 Town Economic Development Center”.

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that \$1,625,000 shall be expended for the purchase of equipment for the Berkshire Innovation Center in the city of Pittsfield’.

Mr. Hinds moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that not less than \$5,000,000 shall be expended to the town of Lee for the planning, design, and construction of a new water line from the water treatment plant into downtown Lee, for increased access to water and public safety, and to make possible the continued development of the former Eagle Mill into a mixed-use residential, retail, and hotel establishment”.

Mr. Hinds moved that the proposed new text be amended in section 2B, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that not less than \$2,000,000 shall be expended to the Town of Adams for the construction of the Greylock Glen Outdoor Center”.

Mr. Pacheco moved that the proposed new text be amended in section 2, in item 7002-1120, by adding the following words:- “provided further, that not less than \$12,000,000 shall be expended for parking upgrades, including but not limited to the development of a parking deck, and general infrastructure improvements in the downtown area of the city of Taunton”.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$8,000,000 shall be expended for the study, design, improvements and maintenance of route 1 in the towns of Norwood, Westwood and Dedham through the VFW and West Roxbury Parkway in the West Roxbury section of the City of Boston”.

Mr. Rush moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$1,000,000 shall be expended for the redevelopment of the Old Town Hall building in the Town of Westwood”.

Messrs. Rush and Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$1,000,000 shall be expended for improvements to the town common in the town of Needham”.

Messrs. Rush, O'Connor, Tarr, Rodrigues and Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$150,000 shall be provided to the Commissioning Committee for expenses associated with the September 2018 Commissioning of the USS Thomas Hudner”.

Messrs. Rush and O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further that not less than \$100,000 shall be expended for the National Guard Association of Massachusetts for the planning and operations of the one hundred forty second National Guard Association of the United States General Conference”.

Messrs. Crighton, Hinds and Montigny moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the study, design, improvements and maintenance of route 1 in the towns of Norwood, Westwood and Dedham through the VFW and West Roxbury Parkway in the West Roxbury section of the City of Boston”.

provided further, that \$500,000 be expended to leverage philanthropic match funding to provide technical assistance to Gateway Cities and other municipalities designated as Opportunity Zones to promote economic competitiveness and job creation; provided, that funds be used to support technical assistance by the National Resource Network and its proven track record of providing assistance to cities and towns across various disciplines including economic development, workforce development, fiscal and operational efficiency, and promoting best practices and inter-city assistance”.

Mr. Barrett moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end thereof the following:- “; provided further, that not less than \$500,000 shall be expended for the design costs for the town center improvement project in the town of Weston; provided further, that not less than \$50,000 shall be expended to support the “Artists’ Market” in the town of Concord; provided further, that not less than \$200,000 shall be expended to improve lighting in commuter parking lots in the town of Concord; provided further, that not less than \$800,000 shall be expended for the acquisition and renovation of a visitors center in the town of Concord; provided further, that not less than \$2,150,000 shall be expended for the construction of a pedestrian bridge over the Assabet River in the town of Concord; provided further, that not less than \$4,650,000 shall be expended for the Cambridge turnpike improvement project in the town of Concord; provided further, that not less than \$1,050,000 shall be expended for improvements to sewer pump stations in the town of Concord; provided further, that not less than \$1,000,000 shall be expended for broadband service improvements in the town of Concord; provided further, that not less than \$750,000 shall be expended for improvements at the White Pond beach in the town of Concord; provided further, that not less than \$500,000 shall be expended on sidewalk, drainage, and roadway improvements in the business district in the town of Chelmsford; and provided further, that not less than \$350,000 shall be expended on supplies and equipment for a certified nursing program at Minuteman Regional Vocational Technical School”.

67

Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “; provided further, that not less than \$3,000,000 shall be expended for the costs associated with repairs, replacements, and construction of water infrastructure owned by the town of Scituate”.

68

Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “; provided further, that not less than \$3,000,000 shall be expended for the costs associated with repairs, replacements, purchase, and construction of water infrastructure servicing the residential and commercial development known as Union Point in the city known as the town of Weymouth”.

69

Mr. Crighton moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$2,250,000 shall be expended for repair of the Fisherman beach boat house, beach pier, outfall & launching ramp in the town of Swampscott”.

70

Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “; provided further, than not less than \$2,000,000 shall be expended for the costs associated with the design, planning, construction, and renovation of Norwell Town Center in the town of Norwell”.

71

Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further, that \$10,500,000 shall be expended for improvements at Tri-County Regional Vocational Technical High School in the city known as the town of Franklin;”.

72

Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “; provided futher, that not less than \$2,000,000 shall be expended for the costs associated with the construction of a Business Climate Innovation Center in the town of Marshfield to assist businesses statewide on climate adaptation, resiliency and reducing emissions”. 73

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that not less than \$205,000 be expended for the Marine Renewable Energy Collaborative to acquire and install new equipment at the Bourne Tidal Test Site;”. 76

Mr. Lewis moved that the proposed new text be amended in section 2, in line item 7002-1120, by inserting the following:- “provided further, that not less than \$3,000,000 shall be expended for downtown revitalization and infrastructure upgrades in the City of Melrose;”. 80

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for the economic redevelopment in the downtown mixed use overlay district in the town of Stoughton”. 85

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “; provided further, that not less than \$500,000 shall be expended for the reconfiguration and renovation to the downtown area in the town of Topsfield”. 89

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following: “; provided further that not less than \$75,000 shall be expended for administrative costs related to the operation of the Life Sciences Consortium of the North Shore run through North Shore InnoVentures in Beverly”. 91

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that not less than \$500,000 be expended for the Woods Hole Oceanographic Institute to utilize autonomous vehicles to detect harmful algal blooms that impact fishermen and shellfishermen;”. 93

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “; provided further, that not less than \$250,000 be expended to the city of Peabody for the design, manufacturing, and implementation of a wayfinding plan and signage for Centennial Business Park in the city of Peabody”. 94

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “; provided further that not less than \$200,000 shall be expended for the design and construction of improvements to the downtown area in the town of Danvers”. 95

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “; provided further that not less than \$200,000 shall be expended for the town of Danvers for the design of an east-west trail link connecting its downtown area to Middleton center”. 98

Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further, that \$500,000 shall be expended for engineering improvements to the slip ramp for Route 1A and I-495 in the Town of Wrentham;”. 101

Ms. Creem and Mr. Ross moved that the proposed new text be amended in item 7002-1120, by adding at the end thereof the following:- “; provided further, that not less than \$2,600,000 shall be expended for renovations to the town hall in the town 104

of Wellesley”.

Ms. Creem moved that the proposed new text be amended in item 7002-1120, 105
by inserting at the end thereof the following:- “; provided further, that not less than
\$100,000 shall be expended to the city of Newton, to improve external marketing of
economic development services offered by the city; provided further, that not less
than \$200,000 shall be expended to the city of Newton, to conduct a market analysis
and community engagement process for a strategic vision plan for the future of
Newton Centre; provided further, that not less than \$100,000 shall be expended to
the city of Newton, to expand the capacity of the Newton Innovation Center”.

Ms. Creem moved that the proposed new text be amended in item 7002-1120, 106
by inserting at the end thereof the following:- “; provided further, that not less than
\$2,380,000 shall be expended to replace the aging hard-wire fire alarm call box
system with solar-powered wireless infrastructure in the town of Brookline”.

Ms. Creem moved that the proposed new text be amended in item 7002-1120, 107
by inserting at the end thereof the following:- “; provided further, that not less than
\$1,000,000 shall be expended for the city of Newton Parks and Recreation
Department for the purpose of replacing the bath house located at Crystal Lake in
Newton, a Great Pond under MGL Chapter 91; provided further, that not less than
\$200,000 shall be expended to the city of Newton, for new bathroom and locker
room facilities at Gath Pool;”.

Ms. Creem moved that the proposed new text be amended in item 7002-1120, 108
by inserting at the end thereof the following:- “; provided further, that not less than
\$5,000,000 be expended for redesign and improvements of Wells Office Park in the
city of Newton”.

Mr. Lewis moved that the proposed new text be amended in section 2, in item 110
7002-1120, by inserting the following:- “provided further, that not less than
\$3,000,000 shall be expended to improve local mobility and access to transit for
Stoneham residents, employees, customers and visitors at the Stone Zoo and other
recreational amenities in the Middlesex Fells”.

Mr. Lewis moved that the proposed new text be amended in section 2, in item 111
7002-1120, by inserting the following:- “provided further, that not less than
\$1,000,000 shall be expended for downtown revitalization and infrastructure
upgrades in the Town of Wakefield;”

Ms. Creem and Messrs. Collins, Feeney and O'Connor moved that the proposed 112
new text be amended in item 7002-1120, by inserting at the end thereof the
following:- “; provided further, that \$250,000 shall be expended for the facilitation
and support of the Massachusetts-Israel Economic Connection operated by the New
England Israel Business Council to pursue economic collaboration between Israel
and Massachusetts”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 113
7002-1120, by adding the following words:- “provided further, that not less than
\$4,000,000 shall be expended for water infrastructure improvement projects in the
town of Warren”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 114
7002-1120, by adding the following words:- “provided further, that not less than
\$880,000 shall be expended for broadband infrastructure projects in the town of
Petersham”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 115
7002-1120, by adding the following words:- “provided further, that not less than
\$250,000 shall be expended for improvements to the Templeton Police Department;
provided further, that not less than \$1,000,000 shall be expended for construction of

a police station for the town of Hardwick; provided further, that not less than \$1,000,000 shall be expended for construction of a public safety complex in the town of West Brookfield”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 7002-1120, by adding the following words:- “provided further, that not less than \$2,000,000 shall be expended for costs associated with land acquisition and development of housing in the town of Holland”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 7002-1120, by adding the following words:- “provided further, that not less than \$1,870,000 shall be expended for construction of a fire station in the town of North Brookfield, including costs for associated land improvements”.

Ms. Gobi moved that the proposed new text be amended in section 2, in item 7002-1120, by adding the following words:- “provided further, that not less than \$1,000,000 shall be expended for bridge infrastructure improvements in the town of Monson”.

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that not less than \$3,000,000 shall be expended for infrastructure improvements to Hedges Pond Road in the Town of Plymouth;”.

Ms. Jehlen moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following words:- “provided further, that not less than \$1,000,000 shall be expended for the design of a pedestrian and bicycle bridge connecting businesses, housing and public transit in the Alewife section of Cambridge;”.

Ms. Jehlen moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following words:- “provided further, that not less than \$350,000 shall be used to renovate the Chevalier Theater in the City of Medford;”.

Ms. Jehlen moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following words:- “provided further, that not less than \$1,000,000 shall be expended for the Clippership Connector, a multi-use path in the City of Medford;”.

Ms. Jehlen moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following words:- “provided further, that \$250,000 shall be used for Street and sidewalk construction on Commercial Street in City of Medford;”.

Ms. Jehlen and Ms. Gobi moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$9,400,000 shall be expended for a grant program administered by the secretary of elder affairs focused on advanced skill training for the home care aide workforce that serves consumers of the elder home care program administered by the department of elder affairs”.

Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further, that not less than \$500,000 shall be expended for the conversion of the Allen Avenue School in North Attleboro into a center for the North Attleboro Council on Aging;”.

Mr. O'Connor moved that the proposed new text be amended in Section 2A, in item 7002-1120, by adding the following:- “; provided further, than not less than \$1,000,000 shall be expended for the costs associated with improvements to the Weymouth Landing area in the city known as the town of Weymouth”.

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less

than \$2,000,000 shall be expended for the economic redevelopment of the Paul Revere Heritage Site project and the Washington street corridor in order to upgrade utilities, sidewalks, intersections and roadways in the town of Canton”.

Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “; provided further, than not less than \$1,000,000 shall be expended for the costs associated with streetscape and parking improvements and business development in the Nantasket Beach Front Business District in the town of Hull”.

Mr. Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further, that not less than \$500,000 shall be expended for public safety improvements in the Town of Millis;”.

Mr. Humason moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$11,000,000 shall be expended to the Massachusetts International Festival of the Arts, Inc. for the restoration of the Victory Theater in the city of Holyoke”.

Mr. Brownsberger moved that the proposed new text be amended in section 2A, by inserting after the word "professions;" in line 35, the following:- “provided further, that not less than \$1,150,000 shall be expended for the design and construction of the Mount Auburn Street Community Path in the city of Watertown; provided further, that not less than 1,200,000 shall be expended for the reconstruction of Arsenal Park in the city of Watertown; provided further, that not less than 3,000,000 shall be expended for the improvement of Victory Field athletic complex in the city of Watertown; provided further, that not less than 100,000 shall be expended to conduct a feasibility study to determine the best use for the Municipal Light Building in the town of Belmont; provided further, that not less than 50,000 shall be expended to conduct a feasibility study to determine the best use of the McLean Barn, a National Historic Place in the town of Belmont;”.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,500,000 shall be expended to the Abington and Rockland Joint Water Works for improvements to and expansion of the Meyers Avenue Plant”.

Messrs. Keenan and Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended for business development, infrastructure, streetscape and accessibility improvements in the Town of Braintree”.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,500,000 shall be expended for business development, infrastructure and streetscape improvements in Wollaston Center in the city of Quincy”.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for business development, infrastructure and streetscape improvements in the Town of Holbrook”.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,250,000 shall be expended for business development, infrastructure and streetscape improvements in the Town of Rockland”.

Mr. Keenan moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,250,000 shall be expended for business development, infrastructure and

streetscape improvements in the Town of Abington”.

Mr. DiDomenico moved that the proposed new text be amended and in said item by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$34,200,000”; and by adding the following:- “provided further, that not less than \$1,500,000 shall be expended for the city of Everett for facade and streetscape improvements in neighborhood business districts”.

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that not less than \$3,000,000 be allocated for water distribution infrastructure projects in the Town of Kingston;”.

Mr. DiDomenico moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$3,000,000 shall be expended for the city of Everett for a new roadway near BNY Mellon and the Berberian sites in order to design and build the roadway and create a bike path connection between BNY and the GE site”; and by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$35,700,000”.

Mr. DiDomenico moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$4,500,000 shall be expended for the city of Chelsea for the Beacham Street Rehabilitation Project in order to enhance the economic viability of the Produce Center”; and by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$37,200,000”.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended for the siting, design and construction of a rowing and boating facility, including necessary rowing equipment and a rowing and boating facility study including, but not limited to, a cost analysis, facility site assessments, and configuration options in the city of Haverhill”.

Mr. Humason moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:-“; provided further, that not less than \$1,000,000 shall be expended for the airframe and power plant program at Westfield Technical Academy”.

Mr. Cyr moved that the pending amendment (161) be amended by inserting after the word "Academy", the following:- “; provided further, that \$100,000 shall be expended for the Airframe and Powerplant program at Cape Cod Community College”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further that not less than \$1,200,000 shall be expended for the construction of a children's museum in the city of Peabody”.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended to purchase a rail corridor and construct an access road to facilitate increased public access along the Merrimack River and to extend the Haverhill Rail Trail to the Groveland Rail Trail in the city of Haverhill”.

Messrs. Cyr and deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further, that not less than \$200,000 shall be expended for the town of Barnstable for costs related to design, impact studies, planning, and

development of Oceanside Performing Arts Center”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further, that not less than \$3,250,000 shall be expended for the town of Mashpee for the design, engineering and construction of a wastewater discharge force main and related disposal site to support reasonable economic development in the town’s central business district”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further that not less than \$350,000 shall be expended for roadway design of Pulaski Mills in the city of Peabody”.

Mr. Tran moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words: - “; provided further, that not less than \$1,000,000 shall be expended to the town of Lunenburg for economic development improvements including, but not limited to, streetscape improvements of Main street and Massachusetts, Leominster and Lancaster avenues, redevelopment of the former L & M Service Station at 925 Massachusetts avenue and the development of a community commercial kitchen for small business owners in need of kitchen facilities”.

Mr. deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that not less than \$3,000,000 shall be expended for the downtown revitalization of the Town of Pembroke;”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further, that not less than \$1,100,000 shall be expended for the town of Wellfleet to purchase and develop a property within the town of Wellfleet, for use as a new business incubator space; provided further, that not less than \$75,000 shall be expended for The Provincetown Commons for the development of a digital media studio and related expenses”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further that not less than \$150,000 shall be expended for welcome signs in the city of Peabody”.

Messrs. Humason, Lesser and Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further that \$500,000 shall be expended for equipment, materials and transportation for the carpentry and electric, machine tool technology, and auto technology programs at Chicopee Comprehensive High School in the city of Chicopee”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further that not less than \$2,000,000 shall be expended for maintenance dredging of approximately sediment in the town of Barnstable from the western end of Sampson's Island, with disposal occurring on the eastern end of Dead Neck; provided further, that not less than \$750,000 shall be expended for the town of Edgartown to obtain the use of a property within the town of Edgartown to store dredge sand and other materials in preparation for severe storm events or for other expenses incurred in connection with dredging and dredging preparation; provided further, that not less than \$250,000 shall be expended for the town of Yarmouth for dredging of the Bass River and Parkers River coastal waterways; provided further, that not less than \$375,000 shall be expended for the town of Chatham to modify the

town's existing Comprehensive Dredge and Disposal Permit and to dredge critical shoal locations to restore navigation access and emergency response”.

Mr. Tran moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$6,000,000 shall be expended to the city of Gardner for the second phase of the city’s Rear Main Street Revitalization Program, and for the demolition of a former factory building at 20 Rock street”.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for an economic development study in the town of Merrimac”.

Ms. Gobi moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$4,000,000 shall be expended for new construction of 4,500 lineal feet of Riverside Drive with accompanying infrastructure as a public way within the Ludlow Mills complex in the town of Ludlow”.

Ms. Gobi moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$2,000,000 shall be expended to create a Baystate Clinical Trials Unit, which would provide infrastructure, staffing, services, training, and support to facilitate clinical and translational research with human subjects and develop national partnerships to advance cutting edge medical research”.

Ms. Gobi moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$2,000,000 shall be expended to create a Baystate Collaborative Addiction Resource Team, which would establish a multi-disciplinary, multi-modal, evidence-based addictions service to serve the large number of individuals treated at Baystate who have substance use disorders with an emphasis on facilitating evidence-based MAT”.

Mr. Tran moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words: - “; provided further, that not less than \$250,000 shall be expended to the town of Bolton for improvements to the route 117 corridor; provided further, that not less than \$300,000 shall be expended to the town of Clinton for improvements, renovations, and updates to High street and the downtown area in order to promote economic development”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end the following:- “and provided further, that not less than \$3,000,000 shall be expended to fund infrastructure improvements at the Victor Drive and Main Street intersection in the town of Tewksbury”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end the following:- “and provided further, that not less than \$1,500,000 shall be expended to fund sidewalk repairs, traffic lights, and infrastructure improvements at the intersection of Mammoth Road and Lakeview Avenue and along Lakeview Avenue in the town of Dracut”.

Mr. Tran moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$100,000 shall be expended to the town of Berlin for structural improvements to their historic town hall; provided further, that not less than \$100,000 shall be expended to the North Central Massachusetts Development Corporation for the development of a regional economic development blueprint for north central Massachusetts; provided further, that not less than \$125,000 shall be expended to the town of Townsend for the development of a town master plan; provided further,

that not less than \$500,000 shall be expended to the town of Townsend for the rehabilitation of the former Hart Free Public Library building; provided further, that not less than \$75,000 be expended to the town of Lancaster to conduct a reuse study for the historic former Lancaster School for Girls; provided further, that not less than \$500,000 shall be expended for implementing infrastructure and utility improvements to promote economic development on Boulder drive in the city of Fitchburg; provided further, that not less than \$500,000 shall be expended to Fitchburg State University for the development of the Idealab business entrepreneurship center; provided further, that not less than \$350,000 shall be expended to the city of Fitchburg for the implementation of a municipal fiber-optic telecommunication infrastructure”.

Ms. O'Connor Ives and Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended for the replacement of the deteriorating bulkhead supporting the boardwalk on Newburyport’s Central Waterfront and for the design and construction of the final phase of the Clipper City rail trail connection across United States highway route 1, including redesign of the United States route 1 rotary and pedestrian ways; provided further, that not less than \$125,000 shall be expended for upgrades and improvements to the shellfish purification plant in the city of Newburyport”.

Mr. Tran moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words: - “; provided further, that not less than \$1,000,000 shall be expended to the city of Leominster for the redevelopment of the building at 210 Lancaster street into a school-to-work training center for student workforce development; provided further, that not less than \$1,200,000 shall be expended to the city of Leominster for the replacement of sewer and water lines in the central business district from the intersections of Mechanic and Main streets to Central and Tocci streets”.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for the design, and construction of a seafood test kitchen in the city of Gloucester; provided further, that not less than \$1,000,000 shall be expended for the planning, design and construction of an archives facility in the city of Gloucester; provided further, that not less than \$1,000,000 shall be expended for dockage and other facilities for the accommodation of transient boaters and other improvements at the Gloucester harbor master’s office in the city of Gloucester”.

Mr. DiDomenico moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$2,000,000 shall be expended for the city of Cambridge to support accessibility improvements for businesses along Cambridge Street”; and by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$34,700,000”.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$500,000 shall be expended for the Lower Pioneer Valley Educational Collaborative to replace, repair and upgrade equipment for various programs at the Lower Pioneer Valley Educational Collaborative Career Technical Educational Center”.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,000,000 shall be expended for the Springfield Science Museum for comprehensive upgrades including a planetarium dome, upgrading interactive

exhibits, installation of multi-sensory and immersive environments to compliment the historic dioramas, an animatronic dinosaur and new educational learning centers”.

Mr. Brady moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that \$2,000,000 shall be expanded for the design and construction of traffic signals at the intersection of Ash Street and West Chestnut Street in the city of Brockton”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in line item 7002-1120, by adding at the end thereof following:- “provided further, that not less than \$2,000,000 shall be expended to fund site assessment, master planning and demolition at Merrimack Paper in the city of Lawrence; and provided further that not less than \$1,000,000 shall be expended to fund repairs and rehabilitation of Museum Square Parking Garage in the city of Lawrence”.

Mr. Brady moved that the proposed new text be amended in section 2, in item 7002-1120, by adding the following:- “provided further, that \$ 2,000,000 shall be expended for a traffic study and the design and construction of traffic signals at the intersection of Hanover St., Circuit St. and Pleasant St. in the town of Hanover”.

Mr. DiDomenico moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$1,000,000 shall be expended for the city of Cambridge for the expansion of biomedical and information technology (IT) workforce development programs to prepare local low- to moderate-income adults for careers in the biotechnology, life sciences, medical research industries, and IT, as well as supply local employers with work-ready, diverse employees”; and by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$33,700,000”.

Messrs. Brady and deMacedo moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester;” the following: - "provided further, that \$320,000 shall be expended for the replacement of Field lighting, poles and installation costs at the Sirrico Field located at the Silver Lake Regional High School in the town of Kingston”.

Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,175,000 shall be expended for the design and construction of waste water treatment facility improvements in the city of Haverhill to reduce combined sewer overflows into the Merrimack River”.

Mr. Brady moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that \$2,500,000 shall be expended to secure and raze buildings with Brockton Redevelopment Authority as part of the Downtown Brockton Urban Redevelopment located in the city of Brockton”.

Messrs. Rush and Collins moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$1,500,000 shall be expended for the restoration and rehabilitation of the historic Everett Square Theatre, located at 17 Fairmount Avenue in the Hyde Park section of the City of Boston”.

Mr. Brady moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that \$3,000,000 shall be expended for the CSX property (Former Freight Yard) located along an active commuter and freight rail line running north-south for future commercial/industrial development located in the city of Brockton”.

Mr. Brady moved that the proposed new text be amended in section 2A, in item

7002-1120, by adding the following:- “provided further, that \$500,000 shall be expended to build 4 monitoring stations, with access for setup, monitoring, and maintenance to automate the monitoring of the cyanobacteria sampling locations in Monponsett Pond as part of a resource management plan ordered by the Department of Environmental Protection in the town of Halifax”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in line item 7002-1120, by adding at the end the following:- “and provided further, that not less than \$1,500,000 shall be expended to fund river tourism and road construction along the Merrimack River to support economic development in the area”. 216

Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the expansion of and increased access to the riverwalk trail and park area, including a bridge crossing the Powow river; provided further, that not less than \$1,500,000 shall be expended for road construction on route 110 and Elm street to facilitate access to the development site in the city of Amesbury”. 217

Ms. L'Italien moved that the proposed new text be amended in section 2A, in line item 7002-1120, by adding at the end the following:- “and provided further, that not less than \$2,000,000 shall be expended to fund Economic Development & infrastructure improvements along Rt. 133 and Shawsheen Square in the town of Andover”. 219

Messrs. Timilty and Brady moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for sewer and roadway infrastructure improvements and for expanded housing and economic development for the intersection of Poquanticut avenue and Foundry street in the town of Easton”. 220

Mr. Boncore moved that the proposed new text be amended by inserting in section 2A, in item 7002-1120, the following words:- “; provided further, that not less than \$1,000,000 shall be expended for renovations at the historic Engine 8 fire station on Hanover street in the North End section of the city of Boston”. 221

Mr. Boncore moved that the proposed new text be amended by inserting in section 2A, in item 7002-1120, the following:- “provided further that not less than \$700,000 be expended for the planning and construction of a roadway and drainage improvement at the Belle Isle Terrace business district”. 222

Mr. Boncore moved that the proposed new text be amended by inserting in section 2A, in item 7002-1120, the following:- “provided further that not less than \$300,000 be expended for the street-scaping, lighting, and other improvements in Winthrop's business district”. 226

Mr. Boncore moved that the proposed new text be amended by inserting in section 2A, in item 7002-1120, the following:- “provided further that not less than \$1,000,000 be provided to the Magazine Beach Partners to be expended on the renovations and redesign of Magazine Beach and its parks in the City of Cambridge”. 227

Mr. Boncore moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for a study to analyze strategies and opportunities to protect and expand affordable and workforce housing in the city of Revere; provided further, that not less than \$2,750,000 shall be expended to support the implementation, planning and construction of projects recommended by that study”. 228

Messrs. Boncore and Eldridge moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided 230

further, that not less than \$250,000 be expended for a feasibility analysis on constructing a new public high school in the city of Revere including, but not limited to, potential sites, capital costs and population growth projections; provided further, that not less than \$3,000,000 shall be expended for educational opportunities and a workforce development program in the city of Revere to be run by the Revere economic development department”.

Mr. Boncore moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “provided further, that \$2,500,000 shall be expended for the Boston 4 Celebrations Foundation Inc. for the Boston Pops July fourth fireworks spectacular at the Edward A. Hatch Memorial Shell in the city of Boston”.

Mr. Eldridge moved that the proposed new text be amended in item 7002-1120, by inserting after the word “Worcester;”, in line 43, the following words:- “provided further, that not less than \$12,000,000 shall be expended for a water collection and filtration system in the town of Maynard;”.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,000,000 shall be expended for the expansion of water, sewer, and green energy infrastructure along route 122 and Central street in the towns of Millville and Blackstone”.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$4,000,000 shall be expended for the development of the Draper Mill Complex in the town of Hopedale”.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for the redevelopment and revitalization of the downtown area in the town of Milford”.

Mr. Fattman moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,000,000 shall be expended for the expansion of water and sewer infrastructure in the town of Mendon”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$5,000,000 shall be expended for the expansion and improvement of the cruise terminal and passenger disembarkation system in the city of Salem”.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for economic development projects in the town of Georgetown”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end the following:- “and provided further, that not less than \$1,000,000 shall be expended to fund downtown revitalization and infrastructure improvements in the town of Andover”.

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “provided further, that not less than \$1,125,000 shall be expended to support the small business incubator hub at Stetson Hall, infrastructure improvements at Union Crossing, and the Urban Renewal Plan for Crawford Square in the town of Randolph”.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than

\$1,000,000 shall be expended for improvements to commuter parking and other facilities for the North Wilmington commuter rail station in the town of Wilmington; provided further, that not less than \$250,000 shall be expended for economic development infrastructure improvements on the route 38 corridor in the town of Wilmington”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,500,000 shall be expended for the renovation of the barracks building and the hangar at Winter Island in the city of Salem”.

Ms. Lovely moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,500,000 shall be expended for the revitalization of Cabot street in the downtown area in the city of Beverly”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$300,000 shall be expended for OpenCape Corporation to expand fiber optic cable in the village of Hyannis in the town of Barnstable; provided further, that not less than \$300,000 shall be expended for the town of Provincetown to expand access to broadband internet in the town”.

Mr. Collins moved that the proposed new text be amended in item 7002-1120 by adding the following new language:- “provided further that not less than \$10,000,000 be expended to the Boston Housing Authority for the Mary Ellen McCormack Redevelopment project to create new Senior, Veterans, and Workforce Housing”.

Ms. Chang-Diaz and Mr. O'Connor moved that the proposed new text be amended in section 2A, in item 7002-8019, in line 66, by striking out the following figure “\$1,250,000” and inserting in place thereof the following figure:- “5,250,000”.

Mr. Crighton moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$3,500,000 shall be expended for further development and improvement to infrastructure along the Saugus River waterfront in the Town of Saugus”.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$2,000,000 shall be expended for Jackson Square Recreation Center in the Roxbury neighborhood of Boston”; and by striking out the figure “\$50,000,000” and inserting in place thereof the figure “\$52,000,000.”

Ms. Chang-Diaz moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$2,000,000 shall be expended to the Blessed Sacrament in Jamaica Plain”; and by striking out the figure “\$50,000,000” and inserting in place thereof the figure “\$52,000,000”.

Ms. Chang-Diaz moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the Roxbury Trust Fund for the creation of jobs, job training and placement, business development and expansion, financial workshops for individuals and small businesses, education, literacy and English language acquisition in the Roxbury section of the city of Boston”.

Ms. Chang-Diaz and Messrs. Rush and O'Connor moved that the proposed new text be amended in section 2A, item 7002-1120, by adding the following:- “provided further, that \$1,000,000 shall be expended for construction, renovations, and

infrastructure improvements for the Italian Home for Children campuses located in the Jamaica Plain district of the city of Boston and in the East Freetown section of the town of Freetown”; and by striking out the figure “\$32,700,000” and inserting in place thereof the figure “\$33,700,000.”

Mr. Collins moved that the proposed new text be amended in item 7002-1120, by adding the following new language:- “provided further that not less than \$350,000 shall be expended for the Black Economic Council of Massachusetts for technical assistance; and provided further that not less than \$250,000 shall be expended for STRIVE FORWARD, a job-readiness program to be coordinated by the Justice Resource Institute to connect chronically unemployed adults with training, case management and job placement; and provided further that not less than \$200,000 shall be expended to Beacon Communities for a job training program at the John L. Tierney Center in the South Boston section of the City of Boston; and provided further that not less than \$100,000 shall be expended for capital needs, programming and operations at the Ella J. Baker house in the Dorchester section of the city of Boston; and provided further that not less than \$100,000 shall be expended for South Boston En Accion”.

275

Mr. Crighton moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$1,000,000 shall be expended for improvements to infrastructure and signage along the Washington Street Corridor in the city of Lynn”.

276

Mr. Crighton moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$2,000,000 shall be expended for improvements at Historic Barry Park in the city of Lynn”.

277

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “provided further, that not less than \$3,000,000 shall be expended to enhance economic opportunity for the village of south Braintree in order to draw biomedical, life science, and related commerce initiatives to tie in the growing transportation system in the southern section of the city known as the town of Braintree;”.

278

Mr. Collins moved that the proposed new text be amended in item 7002-1120, by adding the following new language:- “provided that not less than \$1,000,000 shall be expended to the Dorchester Bay Economic Development Corporation for the design, construction, and renovation of the Pierce Building in the Uphams Corner section of the city of Boston”.

279

Mr. Crighton moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that \$1,500,000 shall be expended for infrastructure improvements at the Seaport Marina in the city of Lynn”.

281

Mr. Feeney moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$1,000,000 shall be expended for the redevelopment of the Old Town Hall building in the Town of Walpole;”.

282

Mr. Feeney moved that the proposed new text be amended section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for downtown economic development projects, streetscape improvements, parking, facade and signage consistency and improvements and small business support including, but not limited to, the recruitment of innovative businesses and the creative arts community in the town of Walpole”.

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UNCORRECTED PROOF.

Mr. Tarr and Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the planning, design and construction of a commuter rail site in the town of North Andover”. 285

Messrs. Feeney and Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that \$2,700,000 shall be expended for infrastructure and road improvements at the intersection of Interstate Highway Route 95, South Main Street, and Old Post Road in the Town of Sharon;”. 286

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further, that \$3,500,000 shall be expended to the Zeiterion Theatre in the city of New Bedford for capital facility repairs and improvements including, but not limited to, marquee design and construction in order to provide world-class performing arts in downtown New Bedford that will benefit financially disadvantaged children and families”. 290

Messrs. Feeney and Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$500,000 shall be expended for the Transit-oriented Development/Public Parking Garage Feasibility Study, which shall include, but not be limited to, the parking structure, land acquisition costs and associated economic development planning and materials costs in the city of Attleboro”. 291

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “provided further, that not less than \$500,000 shall be expended for intersection improvement projects on Route 106/East Center Street in order to fund engineering and design improvements for the commercial corridor in the town of West Bridgewater;”. 292

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further, that \$4,000,000 shall be expended for the Buttonwood Park Zoo in the city of New Bedford for capital facility repairs and redevelopment as part of the master plan redevelopment project to benefit financially disadvantaged children”. 293

Messrs. Feeney and Ross moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that \$250,000 shall be expended for clean up of the municipal trash site in the City of Attleboro;”. 295

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further, that \$500,000 shall be expended to the Southeastern Massachusetts Convention and Visitors Bureau, in consultation with Downtown New Bedford, Inc. and the New Bedford Area Chamber of Commerce, Inc., to develop and implement a marketing campaign to generate increased visitation, tourism, and economic development in and around downtown New Bedford, which may include but not be limited to, billboards, print media, social media, radio, television and other electronic forms of advertising in the Greater Boston area”. 296

Mr. Boncore moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further that no less than \$300,000 be expended on a technical assistance program for small businesses, mid-sized businesses, and entrepreneurs, in East Boston, of which \$100,000 shall be expended for technical support to immigrant and non-English speaking businesses and business owners, administered by East Boston Mainstreets Inc.”. 297

Mr. Montigny moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting the following:- “; provided further, that \$4,000,000 shall be expended to the Northstar Learning Centers, Inc. to design and construct the Early Childhood Education Center in the city of New Bedford to benefit financially disadvantaged children and families by removing barriers to educational and economic success”.

Mr. Timilty moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for dry dock improvements at Milton landing, dredging of the Milton wharf and reconfiguration and reconstruction of the Wood Street overpass in the town of Milton”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further, that not less than \$1,200,000 shall be expended for the town of Nantucket for the replacement of the Town Pier and floating dock and related expenses; provided further, that not less than \$300,000 shall be expended for the Nantucket Dreamland Foundation for a feasibility study and related costs for the expansion of the Nantucket Dreamland Foundation building on South Water Street within the town of Nantucket”.

Mr. Cyr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting after the word “Worcester” in line 45, the following:- “; provided further, that \$1,000,000 shall be expended for the town of Oak Bluffs for improvements to the North Bluff ferry terminal area; provided further, that \$300,000 shall be expended for the town of Gosnold for the planning, engineering, and construction of a Visitor Center at the Coast Guard Boat House; provided further, that not less than \$500,000 shall be expended for the Hyannis Main Street Business Improvement District to purchase property on Main Street in Barnstable, for use as a visitor and welcome center”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$3,750,000 shall be expended for the city of Lowell for planning and investment in opportunity zones, including the restoration of sidewalks, lighting, street furnishings, street trees and other plantings as well as transit-oriented development planning for route 110 from Cross Point Towers to the Charles A. Gallagher Transit Terminal and the construction of a new public park with festival and event space accommodations and a pedestrian walkway connecting a public parking facility to adjacent development opportunities”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for the city of Lowell to conduct a parking analysis and implement recommendations and technology upgrades to city-owned parking facilities”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for the city of Lowell to procure services for design and construction of a bridge over the Pawtucket canal and associated walkways or a water taxi dock to enhance pedestrian access to Western Avenue Studios”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for the city of Lowell to design and construct the

Merrimack riverwalk phase II project, including a pedestrian walkway, ramp, cantilevered overlook and bridge over the Concord river, and other services associated with those activities”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$250,000 shall be expended for the city of Lowell to procure services for the redevelopment of the Hamilton Canal Innovation District, including activities associated with submission of a notice of project changes for the district’s Massachusetts environmental policy act certificate, and brokerage services to include marketing, sale negotiation and other services associated with those activities”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,000,000 shall be expended for the city of Lowell to acquire properties that will advance the goals and objectives of the town of Ayer's City Industrial Park Urban Revitalization and Development Project Plan, and other services associated with those activities”.

Mr. Tarr and Ms. O'Connor Ives moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$2,250,000 shall be expended for the purchase of dredging equipment to service the region that includes Cape-Ann and extends to the New Hampshire border”.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$1,000,000 shall be expended for investment in the town of Tyngsborough”.

The question on adoption of the several amendments, as one, was determined by a call of the yeas and nays, pursuant to Senate Rule 45A, at twenty-six minutes before eight o'clock P.M., as follows, to wit (yeas 37 — nays 0) [Yeas and Nays No. 470]:

YEAS.

- | | |
|--------------------------|-------------------------|
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Lesser, Eric P. |
| Brownsberger, William N. | Lewis, Jason M. |
| Chandler, Harriette L. | L'Italien, Barbara A. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Creem, Cynthia Stone | Moore, Michael O. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | O'Connor Ives, Kathleen |
| deMacedo, Viriato M. | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rodrigues, Michael J. |
| Eldridge, James B. | Ross, Richard J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gobi, Anne M. | Timilty, Walter F. |
| Hinds, Adam G. | Tran, Dean A. |
| Humason, Donald F., Jr. | Welch, James T. – 37. |
| Jehlen, Patricia D. | |

NAYS – 0.
ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

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

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

PAPERS FROM THE HOUSE

Engrossed Bills — Land Taking for Conservation Etc.

An engrossed Bill authorizing the transfer of care and control of certain parcels of land in the town of Middleborough from the Department of Correction to the Department of Fish and Game (see House, No. 4261) (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 a quarter before eight o'clock P.M., as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 471**]:

Middleborough,--
land.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – 37.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at twelve minutes before eight 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.

UNCORRECTED PROOF.

An engrossed Bill relative to the transfer of an easement under the control of the Department of Conservation and Recreation in the city of Lynn (see House, No. 4268, changed) (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 eleven minutes before eight o'clock P.M., as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 472**]:

Lynn,-- easement.

YEAS.

Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
Crighton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	O'Connor Ives, Kathleen
deMacedo, Viriato M.	Pacheco, Marc R.
DiDomenico, Sal N.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Friedman, Cindy F.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
Hinds, Adam G.	Tran, Dean A.
Humason, Donald F., Jr.	Welch, James T. – 37.
Jehlen, Patricia D.	

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at ten minutes before eight 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 authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Shrewsbury (see House, No. 4312) (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 nine minutes before eight o'clock P.M., as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 473**]:

Shrewsbury,-- land conveyance.

YEAS.

Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.

UNCORRECTED PROOF.

Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – 37.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at seven minutes before eight 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 authorizing the town of Falmouth to sell a parcel of land known as the Farley Bog (see House, No. 4561) (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 six minutes before eight o'clock P.M., as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 474**]:

Falmouth,-- land sale.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.

Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.

UNCORRECTED PROOF.

Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Tran, Dean A.
Welch, James T. – 37.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at five minutes before eight 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 authorizing the city of Cambridge to change the use of certain land acquired for open space recreational purposes to a use for traffic reconfiguration purposes (see House, No. 4634 (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 four minutes before eight o'clock P.M., as follows, to wit (yeas 37 - nays 0) [**Yeas and Nays No. 475**]:

Cambridge,-- land use change.

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.

Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Ross, Richard J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – 37.

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at three minutes before eight 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.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic Development.

Messrs. Tarr, Collins, Montigny, Rodrigues, Ross, O'Connor, Keenan and Boncore, Ms. Gobi and Ms. Lovely moved that the proposed new text be amended by adding after section ___ the following section:

14

“SECTION XX. The secretary of housing and economic development, shall conduct a study to determine the impact of regulations on establishing water-dependent facilities and businesses in designated port areas, and how the implementation of a maritime commercial tax credit may offset the burden of these regulations to promote job growth and further investment in designated port areas.

This study shall be completed no later than December 31, 2018. Its findings shall be submitted to the clerk of the house of representative and clerk of the senate, the joint committee on revenue, the house of representatives committee on ways and means, and the senate committee on ways and means.”

The amendment was *rejected*.

Mr. Eldridge moved that the proposed new text be amended by inserting the text of Senate document numbered 2651, relative to fairness in debt collection.

16

Pending the question on adoption of the amendment, at twenty-one minutes past two o'clock P.M, at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Ms. Creem) declared a recess; and, at twenty-one minutes before three o'clock P.M., the Senate reassembled, the President in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading.

Economic Development.

The pending amendment previously moved by Mr. Eldridge was again considered; and, after remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at half past eight o'clock P.M., on motion of Mr. Eldridge, as follows to wit (yeas 36 – nays 0) [**Yeas and Nays No. 476**]:

16

YEAS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
Eldridge, James B.

Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L'Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
O'Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.

Fattman, Ryan C.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Humason, Donald F., Jr.

Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – **36.**

NAYS – 0.

ANSWERED “PRESENT”.

Ross, Richard J. (*present*) – **1.**

ABSENT OR NOT VOTING.

Barrett, Michael J. – **1.**

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

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-1120, by inserting at the end thereof the following:- “provided further, that not less than 750,000 shall be expended for the renovation and rehabilitation of the Patton Homestead in the Town of Hamilton”.

Pending the question on adoption of the amendment (Tarr), Mr. deMacedo moved that the amendment be amended by adding the following section:-

“SECTION XX. The rotary on Route 28 in Bourne at the entrance to Joint Base Cape Cod shall be designated and known as ‘Heroes Circle’ in honor of the service of the men and women of the Armed Forces of the United States of America. The Massachusetts Department of Transportation shall erect and maintain suitable markers near the rotary bearing the designation in compliance with the standards of the department.”

After remarks, the further amendment was adopted.

The pending amendment (Tarr), as amended (deMacedo), was then adopted.

Messrs. Eldridge, Welch, Collins and Lewis and Ms. L’Italien moved that the proposed new text be amended by adding the following sections:

“SECTION XX. (a) There is hereby established a special commission to study data related to programs that provide joint support for stable housing and to increase economic self-sufficiency. The commission will examine various program components, program outcomes including changes in earned income, education, and state and federally funded services, and the feedback of participants and those not enrolled in programs, for the purpose of producing a report with recommendations for criteria for economic mobility and financial stability programs for families and individuals with extremely low incomes, as defined by the U.S. Department of Housing and Urban Development, that can be offered across the Commonwealth. The Commission shall examine the impacts of cliff effects on households with low incomes and determine ways to adjust assistance in response to changes in income, including automatic adjustments tied to minimum wage increases.

(b) The commission shall be chaired by the House and Senate Chair of the Joint Committee on Children, Families, and Persons with Disabilities. The commission shall consist of, but not limited to, the following members or their designees:

(c) The secretary of administration and finance; secretary of education; the secretary of the department of labor and workforce development; the undersecretary of the department of housing and community development, the commissioner of the department of transitional assistance; the president of the senate; the speaker of the house of representatives; the senate and house chairs of the joint committee on housing; and the senate and house chairs of the joint committee on labor and

workforce development.

(d) One representative of each of the following organizations: Abt Associates, Cambridge Housing Authority, Central Massachusetts Housing Alliance, Citizens’ Housing and Planning Association, Compass Collaborative, CONNECT, Economic Mobility Pathways, Father Bill’s & Mainspring, Franklin County Regional Housing & Redevelopment Authority, Homes for Families, Housing Assistance Corporation, Local Initiatives Support Corporation, Massachusetts Chapter of the National Association of Housing and Redevelopment Organizations, Massachusetts Association for Community Action, Massachusetts Coalition for the Homeless, Massachusetts Law Reform Institute, Massachusetts Union of Public Housing Tenants, Metro Housing Boston, MIDAS Collaborative, Regional Housing Network of Massachusetts, United Way of Massachusetts Bay and Merrimack Valley, the University of Massachusetts Center for Social Policy, Way Finders, and People Acting in Community Endeavors, Inc.

(e) The commission shall file a report of its findings and recommendations together with drafts of legislation necessary to carry out the recommendations, with the clerks of the senate and the house of representatives, the senate and house chairs of the joint committee on housing, and the house and senate committees on ways and means no later than December 31, 2018.”

After remarks, the amendment was adopted.

Messrs. Tarr and Ross moved that the proposed new text be amended in section 12, starting in line 465 by striking the following words:- “including, but not limited to, a forfeiture for competition agreement” and in said section 12, in line 478, by adding the following words:- “(xi) noncompetition agreements made in connection with an arrangement defined as a franchise by 16 C.F.R. Part 436 and its subsequent amendments.”

30

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seventeen minutes before nine o’clock P.M., on motion of Mr. Tarr, as follows to wit (yeas 7 – nays 29) [**Yeas and Nays No. 477**]:

YEAS.

Eldridge, James B.
Fattman, Ryan C.
Humason, Donald F., Jr.
O’Connor, Patrick M.

Ross, Richard J.
Tarr, Bruce E.
Tran, Dean A. – 7.

NAYS.

Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
Feeney, Paul R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Jehlen, Patricia D.

Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
L’Italien, Barbara A.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O’Connor Ives, Kathleen
Pacheco, Marc R.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Timilty, Walter F.
Welch, James T. – 29.

ANSWERED “PRESENT”.

deMacedo, Viriato M. (*present*) – 1.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

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

Mr. deMacedo moved that the proposed new text be amended by adding the following new sections:

56

“SECTION XX. Section 1 of chapter 164 of the General Laws, as appearing in the 2016 official edition, is hereby amended by inserting, after the definition of ‘Mitigation,’ the following definition:-

‘Nantucket Sound’, the water and seabed located below the mean low-water line that lie between the southern shore of Cape Cod, between Monomoy and Mashpee, and the islands of Martha’s Vineyard and Nantucket.

SECTION XX. Said chapter 164 is hereby amended by inserting after section 69S the following section:-

The board may not authorize, fund, or take any action to carry out development of an offshore wind electric generating facility located in whole or in part within Nantucket Sound or any transmission facility connected thereto, regardless of whether such wind energy generation facility is subject to the jurisdiction of the board. Nothing in this section shall limit the ability of the board to authorize, fund, or take action on development of electric transmission facilities that exclusively serve or support offshore wind electric generating facilities not located within Nantucket Sound.”

The amendment was *rejected*.

Ms. Friedman, Messrs. Welch, Collins, DiDomenico, Feeney and O'Connor moved that the proposed new text be amended by adding the following section:-

78

“SECTION XX. Section 27H of chapter 149 of the General Laws, as so appearing, is hereby amended by striking out the first sentence and inserting in place thereof the following sentence:- No agreement or contract providing for the cleaning and maintenance of public buildings or space rented by any state executive, legislative or judicial department, office, commission, board, bureau, institution, regional or independent authority, or any instrumentality thereof, shall be entered into or given unless the contract or agreement contains a stipulation requiring prescribed rates of wages, as determined by the commissioners, to be paid to the employees of the cleaning and maintenance contractor.”; and

In said section 27H of said chapter 149, by adding the following paragraph:-

“Any solicitation by a state department, office, commission, institution or regional authority contracting for cleaning and maintenance for any building shall include: (i) a statement of required hours; (ii) 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 (iii) 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.”

The amendment was adopted.

Ms. L'Italien moved that the proposed new text be amended by inserting at the end thereof the following new section:-

90

“SECTION XX. Section 24 of chapter 10 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking the word ‘agents’, in line 17, and inserting in place thereof the following words:- ‘agents; provided, further, that said restriction shall not govern the transmittal of lottery information and sales for the purpose of facilitating point of sale transactions’.”

The amendment was *rejected*.

Messrs. deMacedo and O'Connor moved that the proposed new text be amended by inserting the following section:-

97

“SECTION XX. Notwithstanding any general or special law to the contrary, there shall be an interagency working group within the Executive Branch to monitor the pre and post shutdown decommissioning process at Pilgrim Nuclear Power Station. This working group shall consist of members of the Executive Branch, as well as a member of the Attorney General’s office, to lead and coordinate state agency involvement in any matters pertaining to the plant’s decommissioning. Such matters may include: decommissioning radiological and environmental standards, off-site emergency preparedness and funding, site restoration, on-going environmental and radiological monitoring requirements and standards, and ensuring that Entergy and its successors have and maintain sufficient funds to complete the decommissioning process; provided, however, that such matters are within the participating agencies’ respective authorities.”

After remarks, the amendment was adopted.

Messrs. Humason, Welch and Tarr and Ms. Gobi moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following at the end thereof:- “provided further, that not less than \$3,000,000 shall be expended to promote facilities that produce mass timber products for building construction and are located in Massachusetts gateway cities, provided that such facilities use or produce responsibly harvested wood products certified by the Forest Stewardship Council or Programme for the Endorsement of Forest Certification”.

140

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 2A, in item 7002-8023, by inserting after the words "dredging projects" the following:- “, including the purchase of dredging equipment on a regional basis”.

157

After remarks, the amendment was adopted.

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

168

“SECTION X. Notwithstanding any general or special law to the contrary, the Massachusetts Department of Transportation shall conduct a study to determine the feasibility of increasing the width of route 2 between the town of Concord and the city of Gardner. The study shall evaluate the cost of adding a lane in either direction, including the cost of relocating crossings and exits and rebuilding existing bridges. The study shall also take into account the existing traffic flow and congestion and the extent to which an additional lane would improve traffic flow and congestion. The department shall submit a report with the results of the study to the clerks of the house of representatives and the senate and the joint committee on transportation not later than December 31, 2019.”

The amendment was adopted.

Mr. Humason moved that the proposed new text be amended by inserting the following new section:-

181

“SECTION XX. The Massachusetts Department of Transportation, in conjunction with the Executive Office of Housing and Economic Development shall conduct a feasibility study relative to the re-establishment of a crossing over the Westfield River at the site of the former Woronoco paper mill located in the town of Russell. The study shall examine and evaluate the costs, economic, and redevelopment opportunities related to re-establishing a crossing over Westfield River including, but not limited to: (i) the projected capital costs; (ii) the projected

operating costs; (iii) the projected use levels; (iv) the environmental and community impact estimates; (v) the availability of federal, state, local and private sector funding sources; and (vi) the resulting economic, social and cultural benefits to the town of Russell and the surrounding region.

(b) The department shall file a report of the results of its study with the clerks of the senate and house of representatives, the chairs of the senate and house committees on ways and means and the senate and house chairs of the joint committee on transportation not later than September 31, 2019.”

The amendment was adopted.

Mr. Welch moved that the proposed new text be amended by inserting after section 19 the following section:-

201

“SECTION 19A. There shall be a special commission to plan, develop and implement strategies to support and promote minority-owned real estate and financial services organizations in the commonwealth. The commission shall also identify barriers to professional licensure for socially and economically disadvantaged persons including, but not limited to, barriers to obtaining mortgage lending and broker licenses, state bank charters and insurance or carrier licenses. The commission shall consist of: the commissioner of banks, or a designee; the director of the division of professional licensure, or a designee; 1 representative of the National Association of Real Estate Brokers; and 2 minority business enterprise owners, as described in section 58 of chapter 7 of the General Laws, as appointed by the governor. The commission shall file a report of its findings and recommendations with the clerks of the senate and house of representatives and the chairs of the senate and house committees on ways and means not later than June 30, 2019.”

The amendment was adopted.

Ms. O'Connor Ives moved that the proposed new text be amended in item 7002-1120, by adding the following:- "provided further, that \$2,000,000 shall be expended for the replacement of the bulkhead supporting the boardwalk on the City of Newburyport's Central Waterfront".

202

The amendment was *rejected*.

Mr. DiDomenico moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$3,000,000 shall be expended to municipalities for upgrading traffic signals to light-emitting diode technology and intelligent transportation system applications, such as autonomous and connected vehicle-related technology, performing regional operations such as re-timing, developing special event plans and monitoring traffic signals and for maintaining and operating traffic signals”; and by striking the following figures “\$32,700,000” and inserting in place thereof the following figures “\$35,700,000”.

224

The amendment was *rejected*.

Messrs. Tarr and O'Connor moved that the proposed new text be amended by inserting after section _ the following sections:-

243

“SECTION _ . Notwithstanding any general or special law to the contrary, there is hereby established a Special Commission on Sports Gaming, the purpose of which shall be to consider and evaluate the advantages and disadvantages of authorizing sports betting in the Commonwealth, potential statutory and regulatory structures and methodologies for so doing, potential types and amounts of assessment or taxation of such activities, and any and all other relevant issues.

Said commission shall conduct a comprehensive review of sports betting including, but not limited to: economic development, consumer protection, taxation,

legal and regulatory structures, burdens and benefits to the commonwealth and any other factors the commission deems relevant.

SECTION __. The commission shall consist of 11 members: 3 members appointed by the Governor with industry expertise in gaming and sports betting; the Attorney General or designee; The Treasurer or designee; the Secretary of Public Safety or designee; 1 member who shall be appointed by the Massachusetts Gaming Commission; 2 members who shall be appointed by the President of the Senate, 1 member who shall be appointed by the Minority Leader of the Senate; 2 members who shall be appointed by the Speaker of the House of Representatives; and 1 member who shall be appointed by the Minority Leader of the House of Representatives. The commission shall elect a chair at its first meeting.

SECTION __. The Commission shall submit a report to the legislature including any recommendations and drafts of legislation it may deem necessary to carry out such recommendations into effect, by filing same with the clerk of the Senate and of the House of Representatives, as well as the Chairs of the Joint Committee on Economic Development and Emerging Technologies within 180 days of the passage of this act.”

After remarks, the amendment was *rejected*.

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

253

“SECTION XX. Section 20 of Chapter 6C of the General Laws, so as appearing, is hereby amended by adding at the end thereof the following:-

Notwithstanding the provisions of this Section 20 or Section 46 of Chapter 6C of the General Laws or any other general or special law to the contrary, the department has the right, but not the obligation, to sell in fee, or lease for a term not to exceed 198 years, air rights within the parcel owned by the department commonly known as Massachusetts Turnpike Parcel 15 to the designated developer of said parcel or its nominee. Said parcel is located in the City of Boston and bounded by Cambria Street to the south, St. Cecilia Street to the west, Boylston Street and private property to the north, and Dalton Street to the east. The boundaries of the air rights so conveyed or leased shall preserve the department’s ownership of the Turnpike roadway and adjacent rail tracks and air space above said roadway and rail tracks deemed necessary and desirable by the department for its transportation purposes. Any such sale or lease may include air rights above any streets owned by the department adjoining said parcel, and the department may grant said developer or its nominee rights and easements to install and maintain foundations, walls, and other appurtenances below the air rights so conveyed or leased, all on such terms and conditions as the Secretary of Transportation and/or General Counsel deems necessary or desirable. Any such conveyance or lease shall be at the then-fair market value of the air rights as determined using customary appraisal practices in Massachusetts, and shall not be subject to the requirements of Section 20 of Chapter 6C. Any such sale or lease shall be subject to (i) the department reserving any and all easements and rights needed for its transportation purposes, (ii) recognition by the developer or its nominee that the department’s transportation needs remain paramount, (iii) developer or its nominee complying with the department’s requirements for indemnification, covenants not to sue, and releases relating to negative impacts from development above the Turnpike and rail lines, and (iv) the developer shall fulfill its commitment to Boston’s Inclusionary Development Policy by building off-site units in the Back Bay, Fenway/Kenmore, or the South End Planning District, with a preference for locations within one-half mile of the Project site, (v) such other terms and conditions as the Secretary of Transportation and/or

General Counsel determine are necessary or desirable. The developer or its nominee shall be obligated to take such premises ‘as is, where is’ with all existing site conditions including existing environmental conditions. If the Department of Transportation concludes such a sale or extended lease and if the developer’s mandatory Inclusionary Development Policy contribution in combination with any available Commonwealth funding is insufficient to construct one or more viable projects totaling a minimum of 51,840 square feet of affordable housing within the geographic area established in clause (iv), the Department of Transportation shall transfer an amount of up to 20% of the sale or lease proceeds to the Boston Redevelopment Authority as gap financing to be used exclusively for the construction of such affordable housing. If the Boston Redevelopment Authority certifies that one or more viable projects totaling 51,840 square feet or more within the geographic area has been identified, the Department of Transportation shall instead transfer an amount equal to 12% of the sale or lease proceeds to increase the number of affordable units in those projects. In neither case shall the Department of Transportation funds or any other Commonwealth funds be used to subsidize or offset the developers’ IDP commitment.”

The amendment was adopted.

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

287

“SECTION X. Section 1 of chapter 64H of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting, after the definition of “Retail establishment”, the following definition:- ‘Rolling stock’, trucks, tractors, and trailers, used by common carriers to transport goods in interstate commerce.

SECTION X. Section 6 of said chapter 64H, as so appearing, is hereby amended by inserting, after subsection (xx), the following new subsection:-

(yy) Sales of rolling stock.”

SECTION X. Section 1 of chapter 64I, as so appearing, is amended by inserting in line 5, after the words ‘retail establishment’, the following words:- , ‘rolling stock’.

SECTION X. Section 7 of said chapter 64I, as so appearing, is hereby amended by inserting, after subsection (e), the following new subsection:-

(f) Storage, use or other consumption of rolling stock.”

The amendment was *rejected*.

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

288

“SECTION XX. (a) Notwithstanding sections 33 to 37, inclusive, of chapter 7C of the General Laws or any general or special law to the contrary, the commissioner of capital asset management and maintenance may convey a certain parcel of land in the city of Lynn to the Neighborhood Development Associates, Inc. for nominal consideration for the purpose of providing services to veterans. The parcel contains approximately 0.68 acres and is located at 38 South Common street in the city of Lynn. The parcel shall be conveyed by deed without warranties or representations by the commonwealth.

(b) The use of the parcel shall be restricted to the provision of veterans programs and services, which may include veterans housing. Notwithstanding the foregoing or any general or special law to the contrary, Neighborhood Development Associates, Inc. may lease the parcel or portions thereof to 1 or more entities and enter into agreements with 1 or more entities for the purpose of developing, constructing, operating and maintaining improvements related to the provision of said veterans services on the parcel.

(c) The deed or other instrument conveying the parcel to Neighborhood Development Associates, Inc. shall provide that the parcel conveyed shall be used solely for the purposes described in this act and shall include a reversionary clause that stipulates that, if the parcel ceases at any time to be used for the purposes set forth in this act, title to the parcel shall, at the election of the commonwealth, revert to the commonwealth.

(d) Notwithstanding any general or special law to the contrary, Neighborhood Development Associates, Inc. shall be responsible for all costs and expenses of the transaction authorized in this act as determined by the commissioner of capital asset management and maintenance, including, but not limited to, the costs of any engineering, surveys, appraisals, title examinations, recording fees and deed preparation related to the conveyance of the parcel and all costs, liabilities and expenses of any nature and kind for its ownership. Neighborhood Development Associates, Inc. shall acquire the property thereon in its present condition.

(e) If Neighborhood Development Associates, Inc. does not complete a purchase of the property described in section 1 on or before January 31, 2019, then, notwithstanding sections 33 to 37 inclusive of chapter 7C of the General Laws or any other general or special law to the contrary, the commissioner may sell, lease for terms up to 99 years, including all renewals and extensions, or otherwise grant, convey, or transfer to purchasers or lessees an interest in the property described in section 1 or portions thereof, subject to this section and on such terms and conditions that the commissioner considers appropriate. In making any such disposition pursuant to this section, the commissioner shall use appropriate competitive bidding processes and procedures. Not less than 30 days before the date on which bids, proposals or other offers to purchase or lease a property, or any portion thereof, are due, the commissioner shall place a notice in the central register published by the state secretary pursuant to section 20A of chapter 9 of the General Laws stating the availability of the property, the nature of the competitive bidding process and other information that the commissioner considers relevant, including the time, place and manner for the submission of bids and proposals and the opening of the bids or proposals”.

The amendment was adopted.

Ms. O'Connor Ives moved that the proposed new text be amended in item 7002-1120, by adding the following:- “provided further, that \$1,500,000 shall be expended for the demolition of the former Microfab building in the city of Amesbury”. 300

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following sections:- 301

“SECTION _ . Section 16 of chapter 6D of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out subsection (c).

SECTION _ . Section 6 of chapter 176O of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by striking out, in lines 36 to 37 and 102 to 103, in each instance, the words “and the involuntary disenrollment rate among insureds of the carrier”.

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended in section 12 by striking the words "base salary" in line 522, and replacing it with the words "total compensation". 304

The amendment was *rejected*.

Messrs. Tarr and O'Connor moved that the proposed new text be amended by 305

inserting after section _ the following:-

“SECTION_: Sections 41A, 56A and 298 of chapter 224 of the acts of 2012 are hereby repealed”.

The amendment was *rejected*.

Ms. L'Italien moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding at the end the following:- “and provided further that not less than \$250,000 shall be expended for the University of Massachusetts at Lowell for technical assistance, mentoring, prototyping, product development, and manufacturing referral services for medical device, manufacturing and technology-based startups within the Hamilton Canal Innovation District and to promote industry and supply chain partnerships.”.

308

The amendment was *rejected*.

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

314

“SECTION XX. There is hereby established the commonwealth competitiveness task force, the purpose of which shall be to analyze, and monitor the state's economic competitiveness, and to make recommendations relative thereto.

The task force shall be comprised of 15 members, whom shall be appointed by the governor, and shall consider factors affecting competitiveness including but not limited to: employment costs such as health insurance, unemployment insurance, paid family leave, medical leave, and other benefits; energy costs for space conditioning and transportation; compliance costs for state and local law, rule and regulation.”

The amendment was *rejected*.

Messrs. Timilty and O'Connor moved that the proposed new text be amended by adding the following sections:

318

“SECTION XX. Notwithstanding any general or special law to the contrary, the administration of the office of public safety and inspections at the division of professional licensure may establish a separate fee for elevator inspections occurring before or after normal business hours with one third of the funds being kept by the division and to defray the costs associated with performing overtime elevator inspections and provided further that the division shall employ more than 70 fulltime equivalent elevator inspectors.

SECTION XX. Section 22 (a) (5) of chapter 22 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding after ‘under this section;’ the following: ‘and further provided, however, that any fines assessed under section 65 of chapter 143 shall be calculated solely in accordance with said section 65.’

SECTION XX. Section 65 of chapter 143 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended, in line 21, by inserting after ‘inspector.’ the words ‘30 days prior to the expiration of an elevator's inspection certificate, if payment has not been received, the department shall notify the owner and service contractor in writing and add those permit fees into the associated cart of the owner or service contractor on the State’s Inspections and Permitting System (IPS).’

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 24, by inserting after ‘certificate.’ the words ‘The commissioner or the commissioner's designee will waive all of the \$100 per day fine when a clerical error made by either the state or the applicant is identified to have caused the failure to comply with this section and there was no risk of injury to the public. Clerical errors either by the applicant or the state include but are not limited

to inadvertent errors on the application for annual inspection, data entry mistakes and technical issues within the DPS portal system, exclusion of one device when request(s) for inspection of other devices at same location is filed on time, inconsistency of elevator certificate anniversary date, and problems deriving from change in maintenance companies. This provision will not apply in cases where the department determines that the applicant is abusing the clerical error exemption provided therein.’

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 35, by striking out the figure ‘\$5,000’ and inserting in place thereof the figure ‘\$2,500’.

SECTION XX. Said section 65 of said chapter 143, as so appearing, is hereby further amended, in line 36, by striking out the figure ‘\$20,000’ and inserting in place thereof the figure ‘\$10,000’.

The amendment was *rejected*.

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

Report of a Committee.

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

The Senate Bill relative to firefighters cessation program (Senate, No. 1386).

Smoking cessation
program

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at four minutes past nine o’clock P.M. on motion of Mr. Brady, as follows, to wit (yeas 37 – nays 0) **[Yeas and Nays No. 478]:**

YEAS.

Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L’Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
Crighton, Brendan P.	O’Connor, Patrick M.
Cyr, Julian	O’Connor Ives, Kathleen
deMacedo, Viriato M.	Pacheco, Marc R.
DiDomenico, Sal N.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Friedman, Cindy F.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
Hinds, Adam G.	Tran, Dean A.
Humason, Donald F., Jr.	Welch, James T. – 37.
Jehlen, Patricia D.	

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at seven minutes past nine o'clock P.M., the bill was passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act providing firefighters and police officers with the opportunity to enter a smoking cessation program prior to termination."

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4818) of Dylan Fernandes and Julian Cyr (by vote of the town) relative to authorizing the conveyance of land from the county of Nantucket and authorizing the town of Nantucket to sell, convey or otherwise dispose of a portion of said land situated in the town of Nantucket held for open space purposes,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Municipalities and Regional Government.**

Nantucket,-- land conveyance.

A Bill relative to a certain conservation restriction in the town of Webster (House, No. 4103,-- on petition) [Local approval received],-- was read.

Webster,-- conservation restriction.

There being no objection, the rules were suspended, on motion of Mr. Fattman, and the bill was read a second time and ordered to a third reading.

Matters Taken Out of the Notice Section of the Calendar.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered as follows:

Bills

The Senate Bill authorizing the Department of Fish and Game to acquire a conservation restriction on certain parcels of land in the town of Groveland (Senate, No. 2319) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Groveland,-- conservation restriction.

The Senate Bill relative to an easement plan for the Milton Inline Inspection Project (Senate, No. 2369),-- **was read a third time and passed to be engrossed.**

Milton Inline Inspection Project.

The Senate Bill authorizing the commissioner of capital asset management and maintenance to modify and relocate an easement in the town of West Boylston (Senate, No. 2559),-- **was read a third time and passed to be engrossed.**

West Boylston,-- easement.

The Senate Bill authorizing the commissioner of capital asset management and maintenance and the town of Hingham to grant certain easements upon certain land located in the town of Hingham (Senate, No. 2582),-- **was read a third time and passed to be engrossed.**

Hingham,-- easements.

The Senate Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to NSTAR electric company d/b/a Eversource Energy in return for NSTAR releasing or modifying easements for the benefit of the Commonwealth (Senate, No. 2603),-- **was read a third time and passed to be engrossed.**

NSTAR,-- easements.

The House Bill authorizing the town of Lenox to convey a certain parcel of land to the Massachusetts Audubon Society, Inc. (House, No. 4627),-- **was read a third**

Lenox,-- land conveyance.

time and passed to be engrossed, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to economic development in the commonwealth (House, No. 4732),-- was further considered, the main question being on ordering the bill to a third reading. Economic Development.

Messrs. Rodrigues and Barrett moved that the proposed new text be amended by inserting the text of Senate document numbered 2652, relative to professional employer organizations. 171

After remarks, the amendment was adopted.

Ms. Gobi moved that the proposed new text be amended by adding the following section: 250

“SECTION XX. (a) There shall be an industrial mill building revitalization task force established for the purpose of stimulating the re-development, rehabilitation, and revitalization of industrial mill buildings and surrounding areas in the commonwealth. The task force shall (i) review current laws and regulations beneficial the revitalization of mill buildings and surrounding areas, including but not limited to federal and state tax incentives and renewable energy production; (ii) create a list of existing mill buildings, their locations, whether they are active or inactive, and current uses, if applicable, within the commonwealth; (iii) investigate potential new uses for mill buildings based on market conditions that increase economic development; (iv) identify strategies to improve mill building energy efficiency and prevent further structural and environmental degradation; (v) explore innovative permitting processes, zoning regulations and building codes to encourage redevelopment; and (vi) consider any other actions in furtherance of its purpose.

(b) The task force shall consist of the secretary of housing and economic development or a designee, who shall serve as chair; the secretary of energy and environmental affairs or a designee; the house of representatives and senate chairs of the joint committee on economic development and emerging technologies or their designees; the director of MassDevelopment or a designee; 2 members of the house of representatives who represent communities with mill buildings designated by the speaker of the house of representatives; 2 members the senate who represent communities with mill buildings designated by the senate president; the director of the massachusetts clean energy center or a designee; 2 massachusetts residents that own mill buildings, one active and one inactive, designated by the chair; 1 representative of a massachusetts utility company, designated by the chair; 1 representative from an economic development organization, designated by the chair; 3 representatives of Massachusetts planning organizations, 1 of whom shall be from the western region of the state, 1 of whom shall be from the central region of the state, and 1 of whom shall be from the eastern region of the state, designated by the chair.

(c) The task force shall submit its report and recommendations, together with drafts of legislation to carry its recommendations into effect, to the chairs of the joint committee on economic development and emerging technologies and the clerks of the house and senate on or before August 1, 2019.”

The amendment was adopted.

Messrs. Cyr, Eldridge and Welch moved that the proposed new text be amended by adding the following sections: 251

“SECTION XX. Section 1 of chapter 255E of the General Laws as appearing

in the 2016 Official Edition is hereby amended by inserting, after the word ‘meanings:-‘ in line 2, the following definition:-

‘Bona fide nonprofit affordable homeownership organization’, a Massachusetts nonprofit corporation with a primary purpose of helping qualified low-income individuals build, repair and purchase affordable housing and must meet the definition of ‘Bona fide nonprofit organization’ set forth in federal Regulation H.S. A.F.E. Mortgage Licensing Act – State Compliance and Bureau Registration System, 12 CFR Part 1008.103(e)(7)(ii).; and after the word ‘banks’ in line 3, the following definition:-

‘Instrumentality created by the United States or any state’, a Federal, state, municipal government, or quasi-government entity; or a nonprofit agency or corporation incorporated under the laws of the Commonwealth which has a tax exempt status granted under the provisions of Section 501(c)(3) of the Internal Revenue Code, which exclusively makes or issues commitments for mortgage loans on residential property to be financed with public funds, or negotiates, places, assists in placement of, finds, or offers to negotiate, place, assist in placement of, or find mortgage loans on residential property to be financed with public funds only under a contract with a federal, state, or municipal government, any instrumentality thereof or any quasi-government entity as determined by the Commissioner. The making of a mortgage loan includes being named as the lender or mortgagee on the note, mortgage, or other loan documents.

SECTION XX. Section 2 of chapter 255E of the General Laws as so appearing is hereby amended by adding the following paragraphs:-

The commissioner may make a determination that a bona fide nonprofit affordable homeownership organization is exempt from the provisions of this chapter upon application for an exemption by such organization. Such application shall be approved upon the commissioner’s determination that the organization satisfies the following criteria:

(a) The organization is a Massachusetts nonprofit corporation with a primary purpose of helping qualified low-income individuals build, repair and purchase affordable housing;

(b) The organization is exempt from federal income taxation under section 501(c)(3) of the Internal Revenue Code;

(c) The organization does not charge loan origination fees;

(d) The organization does not provide residential mortgage loans which do not fully amortize over the term of the loans;

(e) The organization does not compensate any employees based on the number and/or size of mortgage loans originated by the employee, or otherwise incentivize any employees to act other than in the best interests of the borrower;

(f) The organization provides mortgage products that meet the Consumer Financial Protection Bureau's (CFPB's) Ability-to-Repay (ATR) rule and its Qualified Mortgage (QM) standards; and

(g) The organization must determine that a borrower has a reasonable ability to repay a mortgage before consummation. A borrower’s debt-to-income ratio must not exceed 43%.

The commissioner may revoke a bona fide nonprofit affordable homeownership organization’s exempt status if the commissioner determines it no longer meets the criteria of this section.

The division of banks may periodically monitor an exempted bona fide nonprofit affordable homeownership organization and a nonprofit entity that is an instrumentality created by the United States or any state under section 2 of chapter

255F and examine its books and activities to confirm it remains in compliance with the provisions of this chapter.

SECTION XX. Subsection (b) of section 2 of Chapter 255F of the General Laws as appearing in the 2016 Official Edition is hereby amended by striking out, in line 30, the word ‘and’, and inserting in place thereof the following:-

; (vii) any person who otherwise meets the definition of a mortgage loan originator, as defined in section 1 of this chapter, but who is employed by an organization determined by the commissioner to be a bona fide nonprofit affordable homeownership organization pursuant to section 2 of chapter 255E; (viii) any person who otherwise meets the definition of a mortgage loan originator, as defined in section 1 of this chapter, but who is employed by, or is operating on behalf of, an instrumentality created by the United States or any state as defined in section 1 of chapter 255E; and (ix) any person solely involved in extensions of credit relating to timeshare plans, as that term is defined in 11 U.S.C. section 101(53D).”

After remarks, the amendment was adopted.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$3,900,000 shall be expended to the town of West Springfield for the revitalization of the downtown area”.

263

The amendment was adopted.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$4,000,000 shall be expended to city of Springfield for the revitalization for the Indian Orchard neighborhood”.

264

The amendment was adopted.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following:- “provided further, that not less than \$4,000,000 shall be expended to Way Finders, Inc., a housing and community development agency in Springfield, for infrastructure improvements and capital investments to support the expansion of services relative to affordable housing, homeownership opportunities, neighborhood redevelopment, financing for small businesses, and other community housing and economic development initiatives.”

265

The amendment was adopted.

Mr. Welch moved that the proposed new text be amended in section 2A, in item 7002-1120, by adding the following words:- “; provided further, that not less than \$100,000 shall be expended for the mitigation of or contribution toward any cost associated with design, construction or infrastructure improvements related to the redevelopment of the intersection of Carew and Cass streets in the city of Springfield”.

271

The amendment was adopted.

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

Report of a Committee.

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

The Senate Resolve relative to the digital right to repair (Senate, No. 2430) (the committee on Rules recommending that the bill be amended by substituting a new draft with the same title, Senate, No. 2630).

Digital right to repair.

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

The bill (Senate, No. 2630) was then ordered to a third reading, read a third time and, after remarks, passed to be engrossed.

Sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

Mr. Boncore moved that the proposed new text be amended by inserting the text of Senate document numbered 2653, relative to regional ballot initiatives.

229

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at sixteen minutes before nine o'clock P.M., on motion of Mr. Tarr, as follows to wit (yeas 27 – nays 10) [Yeas and Nays No. 479]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Boncore, Joseph A. | Hinds, Adam G. |
| Brady, Michael D. | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Lesser, Eric P. |
| Chang-Diaz, Sonia | Lewis, Jason M. |
| Collins, Nick | L'Italien, Barbara A. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Feeney, Paul R. | Spilka, Karen E. |
| Friedman, Cindy F. | Welch, James T. – 27. |
| Gobi, Anne M. | |

NAYS.

- | | |
|-------------------------|-------------------------|
| deMacedo, Viriato M. | O'Connor Ives, Kathleen |
| Fattman, Ryan C. | Ross, Richard J. |
| Humason, Donald F., Jr. | Tarr, Bruce E. |
| Lovely, Joan B. | Timilty, Walter F. |
| O'Connor, Patrick M. | Tran, Dean A. – 10. |

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

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

Ms. L'Italien, Messrs. O'Connor and Collins moved that the proposed new text be amended by inserting after section 11 the following sections:-

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“SECTION 11A. Section 53 of Chapter 146 of the General Laws, as amended by chapter 6 of the acts of 2017, is hereby further amended by adding the following subsection:-

(h) The exemptions under subsections (e), (f) and (g) shall not apply to a public utility company or other company during the course of an employee strike or lockout unless: (i) the employees of the public utility company or other company who are not part of the strike or lockout have obtained a company license from an approved in-service training program of the public utility company for which they are

performing work or other company specially authorized by the department pursuant to said subsection (g); or (ii) during a period of a declared emergency by the governor.

SECTION XX. There is hereby established a special senate oversight task force to study the public safety and consumer protection implications of the recent lockout of gasworkers by National Grid. The study shall include, but not be limited to investigation of the number of complaints and documented incidents of violations and issues pertaining to public safety; the impacts on consumers & ratepayers, changes to operating plans & procedures due to whole scale change in workforce, and impact on services and standards.

The task force shall be comprised of the Senate chair of the Committee on Public Safety, who shall serve as chair, the senate chair of the committee on Telecommunications, Utilities, & Energy, the Senate Chair of the committee on Labor & workforce Development, the Senate Chair of the committee on Consumer Protection and Professional Licensure, the Senate Minority Leader, or his or her designee, and the Senate ranking member of the Committee on Public Safety or his or her designee.

The task force shall hold at least one oversight hearing that is open to the public.

The task force shall produce a report of findings and shall file the report with the clerk of the Senate no later than September 1, 2018”.

After remarks, the amendment was adopted.

Ms. Spilka moved that the proposed new text be amended in section 2A, in item 7002-1120 by adding the following words:- “; provided further, that not less than \$6,000,000 shall be expended for roadway, sidewalk, streetscape and other infrastructure improvements along the Main Street/Route 9 downtown business district corridor in the city of Northampton; provided further, that not less than \$2,000,000 shall be expended for sidewalk, street lighting, streetscape and other infrastructure improvements in the Florence downtown business district of the city of Northampton; provided further, that not less than \$100,000 shall be expended for building safety improvements to the historic, municipally-owned Academy of Music Theatre in the city of Northampton to sustain its economic vitality as a local and regional entertainment venue; provided further, that not less than \$100,000 shall be expended for a study and design of a municipal broadband network in the city of Northampton; provided further, that not less than \$2,500,000 shall be expended for infrastructure and improvements at 34 Riddell street in the city of Greenfield; provided further, that not less than \$130,000 shall be expended for the New England Learning Center for Women in Transition in the city of Greenfield; provided further, that not less than \$150,000 shall be expended to the Hampshire Regional Tourism Council for the implementation of an outdoor recreation marketing campaign; provided further, that not less than \$150,000 shall be expended to the Franklin County Regional Tourism Council to examine intermodal transportation enhancements to spur economic development around outdoor recreation; provided further, that not less than \$870,000 shall be expended to the Franklin Hampshire Career Center for a one stop career center in Hampshire county”;

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In said section 2A, in said item 7002-1120, by striking out, in line 46, the figure “\$32,700,000” and inserting in place thereof the following figure:- “\$459,605,000”;

In section 2B, in item 6720-1341, by striking out, in line 104, the words "cruise ship";

In section 6, by inserting after the word "vacancy," in line 238, the following words:- ", an employer association, local workforce investment board, labor organization, community-based organization, including an adult basic education

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provider, institution of higher education, vocational education institution, one-stop career center, local workforce development entity or a nonprofit education, training or other service provider";

In section 18, by striking out, in line 613, the figure "\$376,450,000" and inserting in place thereof the following figure:- "\$807,355,000"; and

In section 20, by striking out, in line 635, the words "Section 4" and inserting in place thereof the following words:- "Sections 4, 7 and 9".

The amendment was adopted.

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

The Bonding, Capital Expenditures and State Assets amendment, as amended (Ways and Means), was then adopted.

The bill (House, No. 4732), 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 seven minutes past ten o'clock P.M., on motion of Mr. Lesser, as follows, to wit (yeas 37 – nays 0) **[Yeas and Nays No. 480]:**

YEAS.

Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
Crighton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	O'Connor Ives, Kathleen
deMacedo, Viriato M.	Pacheco, Marc R.
DiDomenico, Sal N.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Friedman, Cindy F.	Tarr, Bruce E.
Gobi, Anne M.	Timilty, Walter F.
Hinds, Adam G.	Tran, Dean A.
Humason, Donald F., Jr.	Welch, James T. – 37.
Jehlen, Patricia D.	

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

The yeas and nays having been completed at ten minutes past ten o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendments [For text of Senate amendment, printed as amended, see Senate, No. 2635].

Sent to the House for concurrence.

Order Adopted.

On motion of Ms. Creem,--

Ordered, That when the Senate adjourns today, it adjourn to meet again Tuesday at one o'clock P.M., in a full formal session without a calendar.

Time of meeting.

Moment of Silence.

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

Moment of silence.

Adjourn In Memory of Stephen Mindich.

The Senator from the Cape and Islands, Mr. Cyr, and the Senator from Middlesex and Norfolk, Ms. Creem, moves that when the Senate adjourns today, it do so in the memory of Stephen Mindich of Newton and Provincetown.

Mr. Cyr and Ms. Creem in the Chair, Mr. Mindich was a cultural icon whose contributions to our Commonwealth through journalism, social advocacy, and the arts are innumerable. After a four-year battle with pancreatic cancer, Mr. Mindich passed away on May 23, 2018 at the age of 74.

The son of a Ukrainian migrant, Stephen was born and raised in New York City, where he worked at his father's dry-cleaning business before pursuing a degree from the Boston University School of Theater and the College of Communications. Soon after graduating, Stephen pursued a career in journalism and would eventually become a pioneer of Boston's alternative news media. He began as the first-ever arts and entertainment critic at WBUR-FM and then went on to contribute to Boston After Dark, a small but poignant weekly publication. By 1972 he bought Boston After Dark and then the Cambridge Phoenix. He opted to merge the two publications, creating the Boston Phoenix, an alternative news source that pushed the boundaries of entertainment, social, and political coverage. A number of talented journalists jumpstarted their careers writing for the Boston Phoenix, and the publication won many awards, including a Pulitzer Prize, over the years. Just two years ago, Stephen Mindich was inducted into the New England Newspaper Hall of Fame for having shaped "the course of New England media, culture, politics, and civic life."

A resident of both Newton and Provincetown, Mr. Mindich also had a tremendous impact on the Outer Cape Cod community. Working with a group that shared his passion for the arts, Mr. Mindich co-founded the Provincetown International Film Festival, which is run successfully to this day and promotes Stephen's spirit by introducing the world to talented artists who compel us to think thoughtfully about social and political pitfalls through their work. He also supported the arts through his contributions to the Provincetown Fine Arts Work Center, where he was a board member who played a pivotal role in revitalizing the center's facility and forging its connection with Cuban artists. Stephen loved Provincetown and everything it represented as a community that celebrates the arts through truth, openness, and love. He did everything in his power to make sure the arts flourished in this cultural center of our Commonwealth.

Stephen Mindich is survived by his wife, the Honorable Maria Lopez, his son, Bradley Mindich, brother, Bruce Mindich, two grandsons, two stepsons, and three-grandchildren. May we take the time today to reflect on the remarkable life of Stephen Mindich, whose contributions to journalism, the arts, and to social justice will remain as reminders to us all of the importance of living an impactful and full life.

The President in the Chair, accordingly, as a mark of respect in memory of Stephen Mindich, at twelve minutes past ten o'clock P.M., on motion of Mr. Rush, the Senate adjourned to meet again on Thursday next at one o'clock P.M.

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