

Mr. Swan of Springfield moves to amend the bill is Section 2, at the end thereof, by adding the following:  
"provided further, that the amount of \$252,843.71 shall be expended for the Hampden County District Attorney office to cover the cost associated with the transition of administrations resulting from the 2010 election."

Mr. Costello of Newburyport moves to amend H 3318 by inserting the following language:

SECTION 1: Section 1 of Chapter 176O of the General Laws, as so appearing in the 2008 Official Edition, is hereby amended by striking out the second sentence and inserting in place thereof the following:-

Unless otherwise noted, the term carrier shall not include any entity to the extent it offers a policy, certificate or contract that does not qualify as creditable coverage as defined in section 1 of chapter 111M.

SECTION 2: Section 21(b)(1) of Chapter 176O of the General Laws, as amended by Section 40 of Chapter 288 of the Acts of 2010, is hereby amended by adding after the word "shall" the following:-- not include any entity to the extent it offers a policy, certificate or contract that does not qualify as creditable coverage as defined in section 1 of chapter 111M.

Mr. Costello of Newburyport moves to amend the bill H 3318 by inserting the following sections:

SECTION 1: Section 4 of Chapter 323 of the Acts of 2008 is hereby amended by striking out the words "1 year" and inserting in place thereof the following: one and one half years.

SECTION 2: Section 5 of Chapter 232 of the Acts of 2008 is hereby amending by striking out in (d) after the words "1 year" and inserting in place thereof the following:- one and one half years.

AMENDMENT NO. 4 FILED: 3/30/2011 10:29:45 AM FOR H. 3318

Mr. Fresolo of Worcester moves to amend House Bill 3318 by striking section 18 in its entirety.

AMENDMENT NO. 5 FILED: 3/30/2011 10:37:45 AM FOR H. 3318

Mr. Smizik of Brookline moves to amend the bill in section 2, by inserting after line 111, the following:

Executive office of Elder Affairs  
9110-1660 \$70,299

Mr. Walsh of Boston moves to amend the bill (H.3318) in section 2, in item 4000-6000, by adding at the end thereof the following: “; provided further, that the levels of service and reimbursement rates for Adult Day Health services shall not be less than the rates in effect on January 1, 2011”.

Mr. Walsh of Boston moves to amend the bill by striking out section 49.

Mr. Walsh of Lynn moves to amend the bill (House, No. 3318), in section 12, by striking out, in line 304, the words “transfer and”.

Mr. Lombardo of Billerica moves to amend House No. 3318 by adding at the end thereof the following section:

“SECTION Notwithstanding any general or special law to the contrary, any city or town which fails to enforce federal immigration laws shall not receive unrestricted general government aid, as prescribed by the general appropriations act; provided, quarterly payments of unrestricted general government aid to be disbursed to the city or town shall cease upon verification of the failure of the city or town to comply with federal immigration laws. Failure to comply with federal immigration laws shall include, but is not limited to, a declaration of “sanctuary city” status by the chief executive or executive board or legislative branch of the city or town.”

Mr. Basile of East Boston moves that the bill be amended by adding after Section XX the following new section:

Section 39 of Chapter 288 of the Acts of 2010 is hereby amended by striking subsection (a) in its entirety and replacing it with the following:

(a) (i) limits the ability of the carrier to introduce or modify a select network plan or tiered network plan by granting the health care provider a guaranteed right of participation; (ii) requires the carrier to place all members of a provider group, whether local practice groups or facilities, in the same tier of a tiered network plan; (iii) requires the carrier to include all members of a provider group, whether local practice groups or facilities, in a select network plan on an all-or-nothing basis; however if a health plan seeks to contract individually with a provider part of a provider group, nothing in this clause shall be construed to require said provider to participate in the carrier's select or limited network.

Mr. Lewis of Winchester, and Ms. Wolf of Cambridge move to amend the bill by adding the following new section:-

**SECTION XX.** Item 4000-0600 of said Section 2 of said Chapter 131 is amended by adding the words, “provided further, the rates paid by MassHealth to providers of adult foster care and group adult foster care shall be those in effect as of January 1, 2011.”

Mr. Conroy of Wayland moves to amend by adding the following section:

“SECTION . Section 24 of chapter 32A of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection: -

(d) Upon authorization by the board, any political subdivision, municipality, county, or agency or authority of the commonwealth may participate in the fund using procedures and criteria to be adopted by the board.”

Mr. Walsh of Boston moves to amend the bill in Section 2 by inserting after item 7002-0012 the following item 7003-0702 by adding thereof the following:-

“provided further, that no less than the amount appropriated in Chapter 182 of the Acts of 2008 be expended for education, career development and employment service programs operated by the Urban League of Massachusetts.”

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, Ms. Poirier of North Attleboro, and Mr. deMacedo of Plymouth move to amend House bill 3118 in Section 2 by inserting, in line 216, after item 0521-0004 the following item: -

1201-XXXX For distribution to cities and towns for snow and ice removal expenses on municipal ways during the fiscal year 2011; provided, that a city or town receiving funds under this item may reimburse school districts for snow and ice removal expenses; provided, further that 58.34 per cent of funds appropriated under this item shall be apportioned to each city or town proportionally based on the number of road miles as determined by the division of highways within the department of transportation; 20.83 per cent of funds appropriated under this item shall be apportioned to each city or town proportionally based on the population of the city or town as determined by the department of revenue; and 20.83 per cent of funds appropriated under this item shall be apportioned to each city or town proportionally based on the employment population in the city or town as determined by the executive office of labor and workforce development; provided, further that any funds received by a city or town in excess of its liability for snow and ice removal expenses shall be used for the construction and reconstruction of municipal ways as described in clause (b) of section 4 of chapter 6C of the General Laws .....\$25,000,000

Mr. Jones of North Reading, Mr. Peterson of Grafton, Mr. Hill of Ipswich, and Ms. Poirier of North Attleboro move to amend House bill 3318 in subsection (b) of section 55, in lines 809 to 815, inclusive, by striking the first sentence and inserting in place thereof the following:-

“There shall be established a board of trustees to consist of 3 members of the senate, 2 of whom shall be appointed by the senate president and 1 of whom shall be appointed by the minority leader of the senate; 3 members of the house of representatives, 2 of whom shall be appointed by speaker of the house and 1 of whom shall be appointed by the minority leader of the house; the state treasurer or his designee, who shall serve as chair; and 8 persons to be appointed by him, who shall have experience in fundraising, education or financial services; the attorney general or her designee; the undersecretary of consumer affairs and business regulation or her designee; the secretary of education or his designee; the commissioner of elementary and secondary education or his designee and the secretary of housing and economic development or his designee.”.

Ms. Haddad of Somerset and Ms. Peisch of Wellesley move to amend the bill H. 3318 by adding at the end thereof the following section:

“SECTION XX. (A) Item 3000-4050 of said section 2 of said chapter 131 of the Acts of 2010 is hereby amended by striking out the words ‘provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000 and 3000-4060, as necessary, pursuant to an allocation plan, which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 30 days before the transfer; and provided further, that not more than 3 per cent of any item may be transferred in fiscal year 2011’ and inserting in place thereof the following words:— ‘and provided further, that the commissioner of early education and care may transfer funds to this item from items 3000-1000, 3000-3050 and 3000-4060, as necessary, pursuant to an allocation plan which shall detail by object class the distribution of the funds to be transferred and which the commissioner shall file with the house and senate committees on ways and means at least 15 days before the transfer’.”

Mr. Rogers of Norwood and Mr. Kafka of Stoughton move to amend the bill (House, No. 3318) by inserting after item 1599-4355 in section 2 the following item by adding at the end thereof the following:-

"provided further, the rates paid by MassHealth to providers of adult foster care, group adult foster care, and adult day health shall be those in effect as of January 1, 2011."

AMENDMENT TO H. 3318

**LAKEVILLE & CHELSEA CHAPTER 40S REIMBURSEMENT FUNDS**

Representatives Canessa of New Bedford and Markey of Dartmouth move to amend House Bill 3318 by adding the following new item:-

1233-XXXX For reimbursements to certain cities and towns for additional educational costs pursuant to chapter 40S of the general laws, provided further that cities and towns eligible for funding in fiscal year 2010 shall be reimbursed.....\$363,399

Ms. Andrews of Orange moves to amend H. 3318 by adding, after section 57 (as printed) the following new section:-

Section XX. Paragraph (e) of section 92 of chapter 71 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by inserting at the end thereof the following:- ; Provided further if a student is enrolled in a virtual public school and the district operating the virtual public school is not in the school district where the student resides, then the district where the student resides shall provide tuition for the student in the virtual public school. If the district where the student resides fails to make a payment required under this section, the department of elementary and secondary education shall deduct such amount from any payment of state funds due to the district where the student resides directly to the district operating the virtual public school.

Notwithstanding any general or special law to the contrary, the provisions of this section shall only apply to monies owed for students attending a virtual school in fiscal year 2001.

Mr. Jones of North Reading moves to amend House Bill 3318 by adding, after section 55, in line 833, the following new section:-

SECTION XX. Notwithstanding any general or special law to the contrary, the Inspector General of the Commonwealth is hereby authorized and directed to conduct a study of Medicaid similar to the Health Safety Net Audit released on March 2, 2011.

Mr. Hill of Ipswich moves to amend House bill 3318 in Section 2 by inserting, in line 216, after item 0521-0004 the following:

2200-XXXX For the cost of construction and reconstruction of culverts under or adjacent to town ways; provided that such costs may include expenses related to the relocation of utility lines in conjunction with such construction or reconstruction; provided further, that the commonwealth shall reimburse any such city or town under this item within 30 days after receipt by the department of a request for reimbursement from the city or town, which request shall include certification by the city or town that actual expenses have been incurred, and that the work has been completed to the satisfaction of the city or town according to the specifications of the project and in compliance with applicable laws and procedures established by the department.....\$1,000,000

Ms. Reinstein of Revere moves to amend the bill in section 52, line 773, by striking the words "April 1, 2011" and inserting in place thereof the words "December 31, 2011".

Ms. Reinstein of Revere moves to amend the bill in section 51, line 769, by inserting after “April 1, 2012.” the following:

SECTION 1. Section 2 of Chapter 128C of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by striking out the last clause in the fourth paragraph and inserting in place thereof the following clause:-

Provided, however, that no racing meeting licensee shall simulcast live races in any racing season unless the racing meeting licensee is licensed to and actually conducts at least 720 live races of the course of not less than 80 calendar days during the racing season with no fewer than 7 races completed on any of those 80 calendar days.

SECTION 2. Section 1 is hereby repealed.

SECTION 3. Section 2 shall take effect on January 1, 2013.