

## JOURNAL OF THE HOUSE.

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Monday, April 25, 2016.

Met according to adjournment at ten o'clock A.M., with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

### *Pledge of Allegiance and Presentation of Colors.*

A color guard contingent of the Massachusetts Wing of the Civil Air Patrol then entered the Chamber. Captain Marc Vacarella then led the members, guests and employees in the pledge of allegiance to the flag. The Colors were then posted; and the color guard departed from the Chamber

Pledge of Allegiance and Colors posted.

### *Statement of Representative Atkins of Concord.*

A statement of Ms. Atkins of Concord was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for the session held on Wednesday, May 13, 2016 due to a medical emergency. Had I been present, I would have voted in the affirmative on Roll Call No. 212, on enactment of House, No. 4133, and also in the affirmative on Roll Call No. 217, on Adoption House, No. 4199. I would have voted in the negative on roll call numbers 213, 214, 215 and 216, being on adoption of amendment numbers 1, 2, 3 and 4 to House, No. 4199. My missing of roll calls that day was due entirely to the reason stated.

Statement of Ms. Atkins of Concord.

### *Statement of Representative Walsh of Framingham.*

A statement of Mr. Walsh of Framingham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for the earlier portion of today's sitting, due to travel associated with my return from family business outside of the Commonwealth. My missing of roll calls today was due entirely to the reason stated.

Statement of Mr. Walsh of Framingham.

### *Guests of the House.*

During the Session, the Chair (Mr. Donato of Medford), declared a brief recess and introduced two members of the New Hampshire House of Representatives, Representative Bob Haefner, Chair of the Environment and Agriculture Committee; and Representative Tara Saad, Ranking members (and former Chair) of the Environment and Agriculture Committee. They were the guests of Messrs. Kulik of Worthington, Schmid of Westport, Scibak of South Hadley and Mark of Peru.

New Hampshire legislators.

Resolutions.

Walpole, — town forest.

Resolutions (filed with the Clerk by Messrs. Kafka of Stoughton, Rogers of Norwood, McMurtry of Dedham and Dooley of Norfolk) celebrating the one hundredth anniversary of the planting of the Walpole town forest, were referred under Rule 85, to the committee on Rules.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Kafka of Stoughton, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Communications.

Inmates, etc., — health care.

From the Office of Medicaid (see Section 227 of Chapter 165 of the Acts of 2014) submitting a status report of the suspended MassHealth benefits for inmates of penal institutions and reactivation of benefits for individuals admitted for inpatient hospitalization or upon release from incarceration, subject to all required federal approvals [copies forwarded to the chairs of the House committee on Ways and Means and the joint committee on Health Care Financing, as required by said law]; and

Medical Marijuana Trust Fund.

From the Department of Public Health (see Section 2K K K K of Chapter 29 of the General Laws) submitting a report entitled "Medical Marijuana Trust Fund Annual Report";

Severally were placed on file.

Order.

An Order (offered by Mr. Galvin of Canton) was considered forthwith, there being no objection; and it was adopted, as follows:

Messrs. Dempsey of Haverhill and Kulik of Worthington, — voting.

"Ordered, That notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for the Chairman and Vice-Chairman of the committee on Ways and Means whenever said members are conducting deliberations on amendment categories of the General Appropriation Bill, during consideration of said General Appropriation Bill."

Petition.

Mandated reporters, — definition.

Mr. Barrows of Mansfield presented a petition (subject to Joint Rule 12) of F. Jay Barrows for legislation to establish additional mandated reporters for the purposes of the protection and care of children; and the same was referred, under Rule 24, to the committee on Rules.

Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, then reported recommending that Joint Rule 12 be suspended. Under suspension of the rules, on motion of Mr. Bradley of Hingham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Children, Families and Persons with Disabilities. Sent to the Senate for concurrence.

Papers from the Senate.

Bills

Relative to the membership of Berkshire County Regional Housing Authority (Senate, No.693) (on a petition);

Berkshire County housing.

Designating the first Wednesday in May as state parks day (Senate, No. 1712, amended by inserting before the enacting clause the following emergency preamble:

State parks day.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to provide forthwith for the designation of the first Wednesday in May as State Parks Day, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.") (on a petition);

Authorizing the town of Westport to indemnify the payment of certain medical expenses for a retired firefighter (Senate, No. 2086) (on a petition) [Local Approval Received]; and

Westport, — Steve Lopes.

Authorizing the town of Becket to establish a parks and recreation committee (Senate, No. 2224) (on Senate bill No. 2085) [Local Approval Received]; Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Becket, — parks and recreation.

A communication from the Massachusetts Gaming Commission (under the provisions of Section 9B of Chapter 128A of the General Laws) submitting proposed changes to 205 CMR 3.00 and 4.00 relative to harness horse racing and running horse racing (Senate, No. 2237), was referred, in concurrence, to the committee on Consumer Protection and Professional Licensure.

Horse racing, — regulations.

Recess.

At nine minutes after ten o'clock A.M., on motion of Mr. Smola of Warren (Mr. Donato of Medford being in the Chair), the House recessed until eleven o'clock A.M.; and at four minutes after eleven o'clock A.M., the House was called to order with the Speaker in the Chair.

Recess.

Quorum.

Ms. Garlick of Needham thereupon asked for a count of the House to ascertain if a quorum was present. The Speaker, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 147 members were recorded as being in attendance.

Quorum, — yea and nay No. 218.

[See Yea and Nay No. 218 in Supplement.]

Therefore a quorum was present. Subsequently a statement of Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House.

Statement of Mr. Rogers of Norwood.

Guests of the House.

Civil Air Patrol and Lt. Col. John Flaherty.

The color guard detachment of the Massachusetts Wing of the Civil Air Patrol again entered the Chamber, and once again led the members, guests and employees in the pledge of allegiance to the flag. The Colors were then posted.

The Speaker then introduced Mr. Vieira of Falmouth who read and presented Vice-Commander Lt. Col. John Flaherty, CAP with Citations of the House congratulating the Civil Air Patrol on their 75th Anniversary, thereby predating the establishment of U. S. Air Force. Mr. Vieira stated that the Civil Air Patrol was born 1 week before the attack on Pearl Harbor; and that Civil Air Patrol members are volunteers and critical components of our national defense and state emergency management functions.

The color guard detachment and Lt. Col. Flaherty were the guests of Representatives Vieira, Gordon of Bedford, Hogan of Stow, Naughton of Clinton and Peake of Provincetown.

Reports of Committees.

Telephone solicitations.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, asking to be discharged from further consideration of the House Bill requiring transparency in telephone solicitations (House, No. 4180),— and recommending that the same be recommitted to the committee on Consumer Protection and Professional Licensure. Under Rule 42, the report was considered forthwith; and it was accepted.

Kayak safety.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill relative to kayak safety (House, No. 2180), be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the following bills be scheduled for consideration by the House:

Senate bills

Further defining a quorum of a public body in the town of Milton (Senate, No. 2001) [Local Approval Received]; and

Increasing the membership of the board of selectmen of the town of Milton (Senate, No. 2112) [Local Approval Received]; and

The House Bill relative to the town of Milton (House, No. 4014) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Milton,— public body.

Milton,— selectmen.

Milton.

Sex offenders,— study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill creating a task force to study the use of the internet by sex offenders (House, No. 2142). Read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, Nos. 825 and 841, a Bill relative to prescription eye drops (House, No. 4195).

Prescription eye drops.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill requiring health care employees to develop and implement programs to prevent workplace violence (House, No. 1687).

Workplace violence,— prevention.

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 845, a Bill relative to the regulation of the business of domestic and foreign money transmission by the Division of Banks (House, No. 4196).

Foreign money transmission.

By the same member, for the same committee, on House, Nos. 805, 883 and 962, a Bill reforming labor rates paid by insurance companies to auto repairers in the Commonwealth (House, No. 4197).

Auto repairers.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to penalties for false distress calls (House, No. 2129).

False distress calls,— penalties.

By the same member, for the same committee, on a petition, a Bill relative to improving elevator inspection procedures (House, No. 2146).

Elevator inspections.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Michlewitz of Boston, for the committee on Financial Services, on House, No. 794, a Bill further regulating the reserve fund for credit unions (House, No. 4193).

Credit unions,— reserve fund.

By the same member, for the same committee, on House No. 804, a Bill relative to family financial protection (House, No. 4194).

Family finances.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on a petition, a Bill relative to critical incident intervention by emergency service providers (House, No. 2113).

Incident intervention.

By the same member, for the same committee, on a petition, a Bill relative to hidden compartments (House, No. 2121).

Hidden compartments.

By the same member, for the same committee, on a petition, a Bill relative to bank robberies and collection of fraudulent checks (House, No. 2132) [Representative Heroux of Attleboro dissenting].

Robberies and fraud.

By the same member, for the same committee, on a petition, a Bill requiring the use of helmets for equine riders and drivers (House, No. 2147) [Representative Vieira of Falmouth dissenting].

Equine riders,— helmets.

By Mr. Murphy of Weymouth, for the committee on Public Service, on a petition, a Bill establishing a sick leave bank for Laurie Godwin, an employee of the Department of Youth Services (House, No. 4189).

Laurie Godwin.

By the same member, for the same committee, on a petition, a Bill relative to establishing a sick leave bank for Franco Tarquinio, an employee of the Department of Children and Families (House, No. 4190).

Franco Tarquinio.

By the same member, for the same committee, on a joint petition, a Bill establishing a sick leave bank for Carl Taylor, an employee of the Massachusetts Rehabilitation Commission (House, No. 4191).

Carl Taylor,— sick leave.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

*Engrossed Bill — Land Taking.*

Sterling,—  
easements.

The engrossed Bill authorizing the town of Sterling to grant certain nitrogen loading easements (see House, No. 3244) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted  
(land taking),—  
yea and nay  
No. 219.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (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); and on the roll call 158 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 219 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

*Emergency Measure.*

Acton,—  
land.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land to the town of Acton (see House, No. 3792, changed and amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 2 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted  
(land taking),—  
yea and nay  
No. 220.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (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); and on the roll call (Mr. Donato of Medford being in the Chair) 157 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 220 in Supplement.]**

Therefore the bill was passed to be enacted; and it was signed by the Speaker and sent to the Senate.

*Orders of the Day.*

Election  
ballots.

The House Bill relative to election ballots (House, No. 3160), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Parisella of Beverley moved to amend by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 45 of chapter 53 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word ‘statement’, in line 15, the following words:— ; provided that, if the candidate wishes to have the word ‘Veteran’ included on the

ballot in the same space as the candidate’s name, pursuant to section 41 of chapter 54, the candidate shall make such a request.

SECTION 2. The third paragraph of section 41 of chapter 54 of the General Laws, as so appearing, is hereby amended by adding the following sentence:— To the name of each candidate for state, city or town office who is a veteran, as defined in section 1 of chapter 31, the word ‘Veteran’ shall be added in the same space, if the candidate so requests, pursuant to section 45 of chapter 53.”; and by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a veteran designation on ballots, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 3160, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4200) [Total Appropriation: \$39,483,305,892.00], was read a second time.

General  
Appropriation  
Bill.

After remarks on the question on ordering the bill to a third reading, Mr. Cutler of Duxbury moved to amend it by adding the following section:

“SECTION 51. Section 32B of chapter 63 of the General Laws, as most recently amended by section 125 of chapter 240 of the Acts of 2010, is hereby amended by inserting after subsection (c)(3)(iii), the following subsections:

(iv) any member incorporated in a jurisdiction defined herein as a tax haven.

(v) On a biannual basis, the commissioner shall submit a report to the Legislature. The report shall include recommendations for legislation related to tax haven jurisdictions listed in subsection (c)(3)(iv), including recommendations for additions to or subtractions from the list. This report shall be made available to the public.

(vi) In developing its annual report and for the purposes of this section, the commissioner shall consider a tax haven a jurisdiction that, during the tax year in question has no or nominal effective tax on the relevant income and that meets at least two of the following three criteria:

a. The income being reported by a member to the suspected tax haven jurisdiction is disproportionately large as compared to the average percentage of property, payroll, and sales factors within that jurisdiction.

b. The laws, rules, and tax administrative rulings and practices of that jurisdiction encourage the disproportionately large income to be reported in that jurisdiction. Such laws, rules, tax administrative rulings and practices may:

1. prevent effective exchange of information for tax purposes with other governments on taxpayers benefiting from the tax regime;

2. lack transparency by having legislative, legal, or administrative provisions that are not open and apparent or are not consistently

General  
Appropriation  
Bill.

applied among similarly situated taxpayers, or if the information needed by tax authorities to determine a taxpayer's correct tax liability, such as accounting records and underlying documentation, is not adequately available;

3. facilitate the establishment of foreign-owned entities without the need for a local substantive presence or prohibit these entities from having any commercial impact on the local economy;

4. explicitly or implicitly exclude the jurisdiction's resident taxpayers from taking advantage of the tax regime's benefits or prohibit enterprises that benefit from the regime from operating in the jurisdiction's domestic market; or

5. create a tax regime that is favorable for tax avoidance, based upon an overall assessment of relevant factors, including whether the jurisdiction has a significant untaxed offshore financial and related services sector relative to its overall economy.

c. The jurisdiction is recognized by experts or is marketed as a tax haven for corporations.

(vii) The commissioner may require the taxable member making a water's-edge election to submit within six (6) months after the taxable member files its federal income tax return a domestic disclosure spreadsheet to provide full disclosure of the income reported to each state for the year, the tax liability for each state, the method used for allocating or apportioning income to the states, and the identity of the water's-edge group and those of its United States affiliated corporations. The commissioner may require the taxable member to disclose the same information for income reported to tax havens as listed in subsection (c)(3)(iv)."

The amendment was rejected.

The same member then moved to amend the bill by adding the following section:

"SECTION 51. Section 12 of chapter 156C, as so appearing, is hereby amended by striking subsection (d) of paragraph (9) and inserting in place thereof the following:

The fee for the filing of the certificate of organization required by subsection (a) shall be five hundred dollars. The fee for the filing of the annual report required by subsection (c) shall be two hundred and fifty dollars for any such limited liability company with five or fewer employees; or five hundred dollars for any such limited liability company with greater than five employees. Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed."

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

"SECTION 51. Chapter 64A of the General Laws 2014 Official Edition is hereby amended by inserting, after section 7A, the following section:—

Section 7B. The sale of fuel to a city or town which having consumed the same for any municipal purpose shall be exempt from the excise established by this chapter."

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

"SECTION 52. Notwithstanding any special or general law to the contrary, the provisions of section 51 shall not take effect until such time as the executive office for administration and finance, in conjunction with the department of revenue and the Massachusetts Department of Transportation, has furnished a study of the legislation's impact on the transportation systems and infrastructure and revenue cost to the commonwealth and its municipalities and political subdivisions, including, but not limited to, a distributional analysis showing the impact on taxpayers of varying income levels, the current practice of other states and any anticipated change in employment and ancillary economic activity to the joint committees on revenue and transportation, and until legislation has been filed and passed pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution."

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. Poirier of North Attleborough; and on the roll call 120 members voted in the affirmative and 38 in the negative.

**[See Ye and Nay No. 221 in Supplement.]**

Therefore the further amendment was adopted.

The amendment offered by Mr. Jones, et al, as amended, then also was adopted.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

"SECTION 53. (a). Section 2 of chapter 64H of the General Laws, as amended by chapter 27 of the acts of 2009, is hereby amended by striking out, in line 3, the words '6.25 per cent' and inserting in place thereof the following words:— five percent. (b). Section 30A of said chapter 64H, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure '6.25' and inserting in place thereof, in each instance, the following word:— five. (c). Section 2 of chapter 64I of the General Laws, as so appearing, is hereby amended by striking out, in line 6, the words '6.25 per cent' and inserting in place thereof the following words:— five percent. (d). Section 31A of said chapter 64I, as so appearing, is hereby amended by striking out, in lines 5, 7, 14 and 18, the figure '6.25' and inserting in place thereof, in each instance, the following word:— five."

Pending the question on adoption of the amendment, Mr. Kulik of Worthington moved to amend it by adding the following section:

"SECTION 54. Notwithstanding any general or special law to the contrary, the provisions of section 53 shall not take effect until such time as the executive office for administration and finance, in conjunction with the department of revenue, has furnished a study of the legislation's impact on the economy of the commonwealth and its municipalities, including, but not limited to, a distributional analysis of the impact to taxpayers of varying income levels, the current practice of other states, anticipated changes in employment levels and other ancillary economic activity to the joint committee on revenue, and until legislation has been filed and enacted pursuant to Part 2, Chap. 1, Sec. 1, Art. II of the Constitution."

Further  
amendment  
adopted,—  
yea and nay  
No. 221.

Further amendment adopted,—yea and nay No. 222.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 116 members voted in the affirmative and 42 in the negative.

**[See Yea and Nay No. 222 in Supplement.]**

Therefore the further amendment was adopted.

The amendment offered by Mr. Lyons, as amended, then also was adopted.

Mr. Scaccia of Boston then moved to amend the bill by adding the following section:

“SECTION 55. Section 1 of chapter 64A of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 102, the figure ‘24’ and inserting in place thereof the figures:—27.”

After debate the amendment was rejected.

The same member then moved to amend the bill by adding the following four sections:

“SECTION 55. Subsection (l) of section 6 of chapter 62 of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:—

(8) Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this subsection together with section 38X of chapter 63 for all productions, shall not exceed \$40,000,000 for credits deemed attributable to any one fiscal year beginning with the fiscal year commencing on July 1, 2017. SECTION 56. Section 38X of chapter 63 of the General Laws, inserted by section 82 of chapter 173 of the acts of 2008, is hereby amended by adding the following subsection:—

(g) Notwithstanding any other provision of this section, the cumulative amount of credits allowed under this section together with subsection (l) of section 6 of chapter 62 for all productions, shall not exceed \$40,000,000 for credits deemed attributable to any one fiscal year, beginning with the fiscal year that commences on July 1, 2017.

SECTION 57. In order to implement paragraph (8) of subsection (l) of section 6 of chapter 62 and subsection (g) of section 38X of chapter 63 of the General Laws, the department of revenue, in this section called the department, shall issue and implement rules or guidelines which may include but are not limited to the following:—

(a) Any motion picture production company seeking a credit for a production that commences filming after January 23, 2017 shall file a production notice with the department, stating the amount of estimated expenses qualifying for the credit for the production and other information required by the department.

(b) Production notices received by the department on or after January 23, 2017 and before January 23, 2018 shall be considered to be attributable to fiscal year 2017 and shall reduce the available credit for fiscal year 2018, in the order in which they are received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices. Production notices received by the department in each subsequent 12 month period shall be considered to be attributable to each subsequent fiscal year and shall reduce the available credit for that fiscal year, in the order in which they are

received, by not more than the amount of the credit calculated with respect to the estimated qualifying expenses stated in the notices.

(c) A production company shall not be allowed a credit for a production commencing filming after January 23, 2017 unless filming commences within 90 days after the department has responded favorably to the notice and any credit shall not be allowed in excess of the amount of credit calculated with respect to the estimated qualifying expenses stated in the notice. A production company that does not commence filming within the required 90 day period will not be allowed a credit for that production and the credit otherwise attributable to that production will be available to other productions subject to the notice procedures and credit limits contained in this subsection (C).

(d) All productions commencing filming after January 23, 2017 are subject to the notice procedures and credit limits provided in this subsection (C) and shall not qualify for any credit under subsection (l) of section 6 of chapter 62 or section 38X of chapter 63 of the General Laws in any fiscal year except as allowed through those notice procedures and subject to those credit limits.

(e) Credit certificates issued by the department that are attributed to a particular fiscal year under this section will reduce the available credits for such year regardless of the production dates to which those credit certificates relate.

SECTION 58. These sections shall take effect upon passage.”

After debate the amendment was rejected.

The bill (House, No. 4200, amended) then was ordered to a third reading.

At sixteen minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until a quarter after three o'clock P.M.; and at twenty-three minutes after three o'clock the House was called to order with Mr. Donato in the Chair.

Mr. Jones of North Reading thereupon asked for a count to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (Mr. Donato of Medford being in the Chair) 151 members were recorded as being in attendance.

**[See Yea and Nay No. 223 in Supplement.]**

Therefore a quorum was present.

Subsequently a statement of Mr. Rogers of Cambridge was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

Under suspension of the rules, on motion of Mr. Dempsey of Haverhill, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question passing the bill, as amended, to be engrossed Mr. Jones of North Reading and other members of the House moved to amend it by adding the following five sections:

Recess.

Quorum.

Quorum,—yea and nay No. 223.

Statement of Mr. Rogers of Cambridge.

General  
Appropriation  
Bill.

“SECTION 55. Section 27 of chapter 149 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 56. Section 27F of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 57. Section 27G of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also

be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 58. Section 27H of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of this section may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.

SECTION 59. Section 150 of said chapter 149, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph:—

Any employee claiming to be aggrieved by a violation of sections 33E, 148, 148A, 148B, 150C, 152, 152A or 159C or section 19 of chapter 151 may, at the expiration of 90 days after the filing of a complaint with the attorney general, or sooner if the attorney general assents in writing, and within 3 years after the said violation, institute and prosecute in his own name and on his own behalf, or for himself and for others similarly situated, a civil action for injunctive relief, for any damages incurred, and for any loss of wages and other benefits. Any employee so aggrieved and who prevails in such an action shall, if said violation be willful, be awarded triple damages, as liquidated damages, for any loss of wages and other benefits; and the employee shall also be awarded the costs of the litigation and reasonable attorneys’ fees; provided, further, that any employee so aggrieved and who prevails in such an action, if said violation is not willful, shall be awarded damages as determined by the court for any loss of wages and other benefits; and the employee may also be awarded the costs of the litigation and reasonable attorneys’ fees.”

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mrs. O’Connell of Taunton; and on the roll call 35 members voted in the affirmative and 121 in the negative.

**[See Ye and Nay No. 224 in Supplement.]**

Therefore the amendment was rejected.

Amendment  
rejected.—  
yea and nay  
No. 224.

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Mr. Day of Stoneham then moved to amend the bill by adding the following section:

“SECTION 55. There shall be a special commission to study the practice by health insurers and pharmacy benefit managers of switching, for non-medical reasons, individuals with complex or chronic diseases from safe and effective prescription medications to other medications. The commission shall investigate and study several areas including, but not limited to, the following: (i) the frequency by which patients are switched from prescription medications to other medications for non-medical reasons and without the consent or notification of the patients’ prescribing physicians; (ii) the frequency of a health provider prescribing an alternative drug in response to changes in health plan policies mid-year for non-medical reasons; (iii) evaluating the role of financial incentives to pharmacists and prescribers in prescription drug switching decisions, including but not limited to payment, fee, incentive or other contractual reward for choosing a drug alternative; (iv) determining the total cost to the commonwealth when individuals are switched from prescription drugs that have been safe and effective, including but not limited to increased use of services, emergency rooms visits, inpatient hospital stays and outpatient office visits; and (v) identifying the patient populations most impacted by and vulnerable to being switched from prescription drugs for non-medical reasons. The commission shall file a report on its findings and any accompanying recommendations to the joint committee on health care financing, the joint committee on financial services and the house and senate committees on ways and means on or before January 1, 2018.

The commission shall consist of the following members or their designees: the secretary of health and human services, who shall serve as chair; the executive director of the health policy commission; the executive director of the center for health information and analysis; 2 individuals with disabilities, one of whom shall be appointed by the speaker of the house and one of whom shall be appointed by the senate president; 2 individuals who are public policy or advocacy representatives for patient organizations with rare, complex or chronic diseases, one of whom shall be appointed by the speaker of the house and one of whom shall be appointed by the senate president and; 2 members appointed by the governor, 1 of whom shall be an individual who is an actively practicing physician with expertise in the use and prescribing of complex specialty medications including biologics in the treatment of chronic autoimmune diseases and 1 individual who is an actively practicing physician with expertise in treating conditions for which treatment disruptions are likely to result in excess morbidity, disability, or demand of health care resources such as hospitalization, emergency or urgent care visits. The commission may hold public meetings to solicit public input from interested parties in a manner and frequency to be determined by the chair.”

The amendment was adopted.

Messrs. Speliotis of Danvers and Jones of North Reading then moved to amend the bill by adding the following two sections:

“SECTION 56. Section 22 (b) of Chapter 237 of the Acts of 2014 is hereby amended by adding the following word after the word Middleton:— ‘initially’ and by adding the following phrase after

the words Essex Sports Center, LLC:— and any of its leasehold mortgagees.

SECTION 57. Section 22 (c) of Chapter 237 of the Acts of 2014 is hereby amended by striking out the following phrase:— or if Essex Sports Center, LLC ceases to be the lessee at any time before the expiration of the lease.”

The amendment was adopted.

Ms. Ferrante of Gloucester then moved to amend the bill by adding the following section:—

“SECTION 58. Section 17 of chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking, in lines 291 through 293, the following:— Unless expressly authorized by this chapter, local licensing authorities shall not grant licenses to any person, firm or corporation under more than one section of this chapter.”

The amendment was adopted.

Mr. Fernandes of Milford then moved to amend the bill by adding the following section:

“SECTION 59. Section 24 of chapter 262 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 3, the figure ‘40’ and inserting in place thereof the figures:— 50.”

The amendment was adopted.

Messrs. Lawn of Watertown and Donato of Medford then moved to amend the bill by adding the following section:

“SECTION 60. Notwithstanding any general or special law to the contrary, Any school licensed under the Board of Registration of Cosmetology and Barbers shall be exempt from section 263 of chapter 112 of the General Laws.”

The amendment was adopted.

Mr. Cusack of Braintree then moved to amend the bill by adding the following section:

“SECTION 61. Section 22 (8) (c½) of Chapter 32 of the General Laws, is hereby amended by striking out in line 13, the words ‘shall be in perpetuity’ and replacing it with the words ‘shall be for a five year term’.”

The amendment was adopted.

The same member then moved to amend the bill by adding the following section:

“SECTION 62. Section 22 (8) (c½) of Chapter 32 of the General Laws, is hereby amended by striking out, in line 5, the number and words ‘2 percentage points’ and replacing it with the number and words ‘3 percentage points’.”

The amendment was adopted.

Ms. Benson of Lunenburg and other members of the House then moved to amend the bill by adding the following section:

“SECTION 63. Section 16 of Chapter 12C of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the words ‘durable medical equipment’ in line 15 the following:— , provided, that any detailed cost growth trend in the pharmaceutical sector shall consider the effect of drug rebates and other price concessions in the aggregate without disclosure of any product or manufacturer-specific

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rebate or price concession information, and without limiting or otherwise affecting the confidential or proprietary nature of any rebate or price concession agreements”.

The amendment was adopted.

Mr. Bradley of Hingham then moved to amend the bill by adding the following section:

“SECTION 64. Chapter 175H of the General Laws is hereby amended by inserting after subsection (b)2 the following new subsection:—

(3) This section shall not apply to a discount, rebate or other payment by a pharmaceutical manufacturing company to a patient or other person on the patient’s behalf (other than the prescriber of the drug or biologic), for health care items or services related to the patient’s use of a drug or biologic of the manufacturer, where such items or services are required under a Food and Drug Administration Risk Evaluation and Mitigation Strategy or are for the purpose of monitoring or facilitating the use of the drug or biologic in a manner consistent with the provisions set forth in the drug or biologic’s approved labeling.”.

The amendment was adopted.

At eleven minutes before six o’clock P.M., on motion of Mrs. Haddad of Somerset (Mr. Donato of Medford being in the Chair), the House recessed until seven o’clock P.M.; and at sixteen minutes after seven o’clock the House was called to order with Mrs. Haddad in the Chair.

Mr. Whelan of Brewster then moved to amend the bill by adding the following section:

“SECTION 65. Section 224 of Chapter 127 of the Acts of 1999, as so appearing, is hereby amended by striking out the words ‘and two cottages in Nickerson State Park;’ in the first sentence and inserting in place thereof the following words:— and three cottages in Nickerson State Park;.”.

The amendment was adopted.

Mr. Timilty of Milton then moved to amend the bill by adding the following section:

“SECTION 66. The Massachusetts Port Authority, hereinafter referred to as the Authority, shall conduct a noise and land use compatibility study. Such study shall be conducted in the manner outlined by federal aviation regulations, as set forth in 14 CFR 150, and shall recommend operational and land use measures to improve the compatibility of air terminals with surrounding land uses.

The Authority shall submit to the governor and the clerks of the house and senate a report detailing the Authority’s findings pursuant to the study required by this section. The Authority shall make such report available to the public on or before December 31, 2015.

The Authority shall hold biennial public hearings, the first hearing for each county shall be held prior to August 31, 2015, at which members of the public shall have the right to be heard regarding the identification of aircraft noise issues. Such public hearings shall be held in Middlesex, Norfolk, Plymouth and Suffolk counties and shall be attended by at least 1 member of the Authority. The Authority shall develop amendments and changes to the report required by this act as may be necessary and practicable to address public input.”.

The amendment was rejected.

Recess.

Mr. Hunt of Boston then moved to amend the bill by adding the following section: “SECTION 66. Section 1 of chapter 207 of the acts of 2007 is hereby amended by inserting, in the second to last sentence after the word ‘appraisals’, the following words:— , and shall be deposited in the Conservation Trust, established by section 1 of chapter 132A of the General Laws, and expended by the department to acquire lands or interests therein to ensure a no-net-loss of lands protected for natural resource purposes under Article 97 of the Amendments to the Constitution.”.

The amendment was adopted.

Ms. Fox of Boston then moved to amend the bill by adding the following section:

“SECTION 67. Section 1 of chapter 443 of the acts of 1990, as amended by chapter 296 of the acts of 1995, is hereby amended by striking out the fourth paragraph and inserting in place thereof the following paragraph:—

The ‘Roxbury Trust Fund Committee’ shall mean a committee with a size, membership, and term length determined by the Trustees in accordance with the Declaration of Trust of the Roxbury Trust Fund Committee Trust (the ‘Trust’), as may be amended from time to time by at least a majority of the Trustees, except that such membership shall include, as ex officio Trustees, the Mayor of Boston or his or her designee, the sitting State Senator of the district or his or her designee, and the sitting State Representatives of the district or their respective designees. The ex officio Trustees shall be eligible to vote on amendments to the aforementioned Declaration of Trust, but shall be non-voting Trustees for all other purposes. The Roxbury Trust Fund Committee shall not be prohibited (i) from exercising at any time or times all powers necessary to carry out the purposes of the Trust, such purposes include operating for any charitable, scientific, literary, or educational purpose, nor (ii) from raising, collecting, and expending funds, property, or other assets necessary to support or sustain such purposes.”.

The amendment was adopted.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

“SECTION 68. There shall be an educational mandate task force to review existing state mandates placed on public schools and districts in the Commonwealth. The task force shall consist of 11 members: the house and senate chairs of the joint committee on education, or their designees, who shall serve as the co-chairs of the task force; a member of the general court appointed by the senate minority leader; a member of the general court appointed by the house minority leader; the commissioner of elementary and secondary education, or a designee; and 6 persons to be appointed by the secretary of education, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Superintendents, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Committees, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Association of School Business Officials, 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Secondary School Administrators’ Association, 1 of whom shall be selected from a list of 3 persons nominated

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by the Massachusetts Elementary School Principals' Association, and 1 of whom shall be selected from a list of 3 persons nominated by the Massachusetts Administrators of Special Education.

The task force shall: (i) identify and review the state laws, regulations, and administrative directives that prescribe requirements for school districts, including those that require school districts to prepare and submit reports and data to the department of elementary and secondary education (ii) develop recommendations to streamline, consolidate, or eliminate such mandates or reporting requirements that are not fully funded and (iii) determine the total estimated cost of said unfunded mandates on municipalities to consider those figures in the annual fiscal year budget.

The first meeting of the task force shall take place within 60 days of the effective date of this act. The task force shall file a report containing its findings and recommendations, including legislative recommendations, if any, with the clerks of the house and senate not later than 12 months following the first meeting of the task force. Prior to issuing its recommendations, the task force shall conduct at least one public hearing to receive testimony from members of the public."

The amendment was adopted.

The same members then move to amend the bill by adding the following section:

"SECTION 69. Notwithstanding any general or special law to the contrary, in the event state tax revenues for fiscal year 2017 exceed \$26,860,000,000, the treasurer shall make fifty percent of the excess revenue, up to \$100,000,000, available to cities and towns; provided, the excess revenue shall be distributed on a proportional basis pursuant to the distribution of unrestricted general government aid, as prescribed in section 3 of the annual general appropriations act; provided, the treasurer shall notify the house and senate chairs of the committees on ways and means, the house and senate chairs of the joint committee on education, the commissioner of revenue, the secretary of education, and the secretary of administration and finance of any distribution which is made according to this section not less than 30 days prior to the date such distribution is implemented."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Hill of Ipswich; and on the roll call 37 members voted in the affirmative and 121 in the negative.

[See Yea and Nay No. 225 in Supplement.]

Therefore the amendment was rejected.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

"SECTION 69. (a) Notwithstanding the provisions of any general or special law to the contrary, no city or town in the Commonwealth shall receive unrestricted general government aid if they have enacted any ordinance or law, or promulgated any executive order in violation of section 1373 of title 8 of the United States Code, or section 1324 of Title 8 of the United States code."

After debate on the adoption of the amendment, the Chair (Mrs. Haddad of Somerset) placed before the House the question on suspension of

Amendment rejected,—yea and nay No. 225.

Suspension of Rule 1A.

Rule 1A in order that the House might continue to meet beyond the hour of nine o'clock P.M.

On the question on suspension of Rule 1A, the sense of the House was taken by yeas and nays, as required under the provisions of said rule; and on the roll (Mr. Donato of Medford being in the Chair) 125 members voted in the affirmative and 32 in the negative.

[See Yea and Nay No. 226 in Supplement.]

Therefore Rule 1A was suspended.

On the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Lyons of Andover; and on the roll call 34 members voted in the affirmative and 124 in the negative.

[See Yea and Nay No. 227 in Supplement.]

Therefore the amendment was rejected.

Mrs. Haddad of Somerset being in the Chair,—

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2, in item 1599-0042, by striking out the figures "10,000,000" and inserting in place thereof the figures "15,000,000";

By inserting after item 1599-7104 the following item:

"1599-7114 For a reserve for the costs associated with the UMass Center at Springfield; provided that not less than \$250,000 shall be provided for the establishment the University of Massachusetts at Amherst Center for the Study of Racial Justice and Urban Affairs, in Springfield ..... \$500,000";

In item 3000-1020, in line 1, by inserting after the word "including" the following: "not less than \$4,000,000 to be expended for";

In line 3, by inserting after the word "(QRIS)" the following: ", of which not less than \$2,000,000 shall be expended for direct grants to early education and school age programs participating in the Massachusetts QRIS that are actively engaged in efforts to achieve Level 3 and Level 4 in order to improve quality in early education and school age system of care", and in said item by striking out the figures "31,530,665" and inserting in place thereof the figures "32,530,665";

In item 3000-5000, by striking out the figures "8,600,000" and inserting in place thereof the figures "9,100,000";

By inserting after item 3000-5000 the following item:

"3000-6025 For grants in fiscal year 2017 to support planning activities in cities, towns, regional school districts or educational collaboratives currently providing pre-kindergarten or preschool opportunities, to expand pre-kindergarten or preschool opportunities on a voluntary basis to children ages 2 years and 9 months to 3 years and 11 months old; provided, that planning grants shall be awarded through a competitive process established by the department of early education and care utilizing the Massachusetts Preschool Expansion Grant public-private partnership model; provided further, that preference shall be given in awarding these funds to districts serving high percentages

Rule 1A suspended,—yea and nay No. 226.

Amendment rejected,—yea and nay No. 227.

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of high-needs students; and provided further, that notwithstanding any general or special law to the contrary, funds distributed from this item shall be deposited with the treasurer of the city, town, regional school district or educational collaborative and held in a separate account and shall be expended by the school committee of the city, town, regional school district or educational collaborative without further appropriation; provided further that the department of early education and care shall report to the joint committee on education not later than October 15, 2016 the status of the Massachusetts Preschool Expansion Grant program, including but not limited to: summer assessment data of Preschool Expansion Grant students, classroom observation data, and qualitative data from program leadership, staff and parents; and provided further that said report shall also include information on the status of the Commonwealth Preschool Partnership Initiative planning grants, including but not limited to a needs assessment, program design and anticipated costs ..... \$200,000”;

In item 3000-7050, in line 8, by inserting after the word “collaboratives” the words “, the home-based, school readiness and family support program known as the parent-child home program”, and in said item by striking out the figures “13,264,626” and inserting in place thereof the figures “14,114,626”;

In item 3000-7070, by striking out the figures “700,000” and inserting in place thereof the figures “1,000,000”;

In item 7000-9501, by striking out the figures “9,000,000” and inserting in place thereof the figures “9,500,000”;

By inserting after item 7000-9506 the following item:

“7000-9508 For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall continue its work as a public-private partnership..... \$200,000”;

In item 7009-9600, by striking out the figures “1,166,235” and inserting in place thereof the figures “1,666,235”;

In item 7010-0005, by adding the following: “; provided, that not less than \$100,000 shall be expended for costs associated with technological upgrades for the Westford public school district; provided further, that not less than \$90,000 shall be expended for safety upgrades for Hingham public schools; provided further, that not less than \$100,000 shall be expended for a school resource officer for Cohasset public schools; provided further, that not less than \$88,000 shall be expended for safety upgrades for Hull public schools; provided further, that not less than \$100,000 shall be expended for the Fall River public school district; provided further, that not less than \$100,000 shall be expended for the Brockton public school district for extraordinary student transportation costs; provided further, that not less than \$20,000

shall be expended for the operation of Camp Pohelo in the town of Tewksbury; provided further, that not less than \$50,000 shall be expended for a school resource officer for Kingston public schools; provided further, that not less than \$60,000 shall be expended on Methuen High School for mental health counseling services; provided further that not less than \$50,000 shall be expended for the purposes of a pilot project to connect organic gardening, outdoor exercise, healthy food, food preparation and elementary school aged children in the greater Northampton area, operated by Grow Food Northampton; provided further, that not less than \$100,000 shall be expended for the Berkshire County Education Task Force to create a plan of action which will re-envision the county public education system into sustainable efficient models; provided further, that not less than \$150,000 shall be expended for mitigation costs in the Millis public school district; provided further, that not less than \$15,000 shall be expended for anti-addiction programs in the Dennis-Yarmouth regional school district; provided further, that not less than \$15,000 shall be expended for anti-addiction programs in the Nauset regional school district; provided, that not less than \$100,000 shall be expended for STEM programming at Madison Park High School in Boston; provided, that not less than \$50,000 upgrade costs for Agawam Public Schools; and provided further, that not less than \$150,000 shall be expended for the Aspire Teacher Support Program, which shall expend funds for programs that utilize retired teachers to mentor novice public school elementary and secondary education teachers”, and in said item by striking out the figures “12,270,245” and inserting in place thereof the figures “13,608,245”;

In item 7010-0012, by striking out the figures “20,142,582” and inserting in place thereof the figures “20,642,582”;

In item 7027-0019, in line 16, by inserting after the word “teachers” the following: “; provided further, that not less than \$48,750 shall be expended for the continued operation of a pilot program at the Blackstone Valley Education Foundation to provide collaboration between public school districts and area manufacturers; provided further, that no less than \$250,000 shall be provided for a culinary arts program at South Hadley High School to provide vocational training to students”, and in said item by striking out the figures “1,000,000” and inserting in place thereof the figures “2,998,750”;

In item 7035-0002, in line 5, by inserting after the word “education” the following: “; provided further, that not less than \$150,000 shall be expended for Operation A.B.L.E. of Greater Boston to provide basic workforce and skills training, employment services and job re-entry support to older workers; provided further, that not less than \$50,000 shall be expended for Casa Dominicana of Lawrence to assist with citizenship, high school equivalency testing, and English as a second language classes for low-income adults; provided further, that not less than \$25,000 shall be expended for the Family Services of the Merrimack Valley to provide English as a second language classes, college preparation, high school equivalency testing, and citizenship classes for low-income adults”, and in said item by striking out the figures “29,093,517” and inserting in place thereof the figures “29,318,517”;

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By striking out item 7061-0011 and inserting in place thereof the following item:

“7061-0011 For a reserve to: (i) provide relief to school districts whose section 3 aid has been negatively impacted by a change in the low-income calculation of their foundation budget as defined by said section 3; provided, that eligible districts shall be those whose said section 3 aid would be greater as calculated under the guidelines of section 3 of chapter 46 of the acts of 2015; provided further, that the distribution of funds shall be determined by the department on a basis that addresses this shortfall; provided further, that funds distributed from this item shall be considered prior year aid for fiscal year 2018; and (ii) to provide no less than 250,000 for extraordinary relief as specified under clause (iii) in item 7061-0011 of chapter 46 of the acts of 2015; provided further, that funds distributed from this item for the purposes of clause (i) shall be considered prior year aid for fiscal year 2018; and provided further, that the department shall make not less than 80 percent of the funds available for awards on or before October 15, 2016 ..... \$10,000,000”;

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on the military reservation known as Hanscom Air Force Base located within the town’s limits (‘Hanscom Towns’); provided, that any grants provided under this item shall be expended by a school committee without further appropriation; provided further, that funds may be expended on membership dues for the Interstate Compact on Educational Opportunity for Military Children; provided further, that Hanscom Towns may apply for funding in excess of this initial appropriation if funds under this item are increased and a Hanscom Town demonstrates that it would otherwise qualify for an amount greater than the initial funding of this item when compared with all other accepted applications using the same formula applied for in item 7061-0033 in section 2 of chapter 139 of the acts of 2012; and provided further, that not less than \$100,000 shall be made available to the town of Lincoln to mitigate the costs of educating the children of retired-military families ..... \$500,000”;

In item 7061-9611, in line 38, by inserting after the word “months” the following: “; provided further that not less than \$20,000 shall be expended to the Yes We Care/Torch Training program; provided further, that not less than \$100,000 shall be expended for the Youth Court programs of New Bedford and Fall River to support juvenile diversion

programs based on the principles of peer-lead restorative justice; provided further, that not less than \$100,000 shall be expended for the Department of Community Services in the City of New Bedford to establish an after-school STEAM Design Academy for Girls pilot program; provided further, that not less than \$25,000 shall be expended for the Bird Street Community Center in Boston; provided further, that not less than \$50,000 shall be expended for the Recreation Worcester program”; and in said item by striking out the figures “1,500,000” and inserting in place thereof the figures “2,295,000”;

In item 7061-9612, in line 6, by inserting after the word “tool” the following: “; provided further, that funds may be expended by the department on a full-time staff member devoted to carrying out the responsibilities outlined in subsection (f) of section 1P of chapter 69, statewide and regional conferences, expert technological assistance in upgrading the online self-assessment tool’s interface, navigation, accessibility, and other related factors of usability, and grant program evaluation; provided further, that any unexpended funds in this item shall not revert but shall be made available for the purpose of this item until June 30, 2018”; and in said item by striking out the figures “200,000” and inserting in place thereof the figures “400,000”;

In item 7061-9626, by striking out the figures “2,000,000” and inserting in place thereof the figures “2,200,000”;

In item 7061-9634, by striking out the figures “400,000” and inserting in place thereof the figures “500,000”;

By inserting after item 7061-9634 the following item:

“7061-9810 For regional bonus aid under subsection (g) of section 16D of chapter 71 of the General Laws ..... \$110,000”;

In item 7066-0019, by striking out the figures “750,000” and inserting in place thereof the figures “1,000,000”;

By inserting after item 7066-0019 the following item:

“7066-0020 For the nursing and allied health workforce development initiative, to develop and support strategies that increase the number of public higher education faculty members and students who participate in programs that support careers in fields related to nursing and allied health; provided, that the amount appropriated in this item shall be transferred to the Massachusetts Nursing and Allied Health Workforce Development Trust Fund established in section 33 of chapter 305 of the acts of 2008; and provided further, that funds shall be transferred to the fund according to an allotment schedule adopted by the executive office for administration and finance ..... \$200,000”;

In item 7066-0025, by striking out the figures “2,750,000” and inserting in place thereof the figures “3,250,000”;

By inserting after item 7066-0036 the following two items:

“7066-0040 For adult college transition services focused on low-income and entry-level workers; provided, that funds shall be awarded competitively by the board of higher education to adult basic education

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providers, including local education agencies, community-based organizations, community colleges and correctional facilities with recognized success in bridging academic gaps of underserved populations and resulting in college entrance, retention and completion; provided further, that program awardees shall report on attendees' successful transition to college and that the program shall deliver to the joint committee on education and the house and senate committees on ways and means not later than February 15, 2016, an evaluation of the program and its impact on student achievement, particularly as it relates to closing achievement gaps; and provided further, that appropriated funds may be expended for programs or activities during summer months ..... \$250,000

7066-1221 For the administration of the community college workforce grant advisory committee; provided, that funding shall be expended on the community college workforce training incentive grant program established in section 15F of chapter 15A of the General Laws ..... \$750,000";

In item 7070-0065, in line 6, by inserting after the word "program" the following: "; provided further, that not less than \$100,000 shall be expended for the Washington Center-Massachusetts Initiative Academic Internship program", and in said item by striking out the figures "96,607,756" and inserting in place thereof the figures "96,707,756";

In item 7100-0200, in line 9, by inserting after the word "maintenance" the words "; provided further, that the University of Massachusetts shall expend funds for the University of Massachusetts at Amherst Cranberry Station"; In item 7100-0700, by striking out the figures "550,000" and inserting in place thereof the figures "750,000"; By inserting after item 7100-0700 the following item:

"7100-0900 For the University of Massachusetts Medical School to enhance economic development by supporting innovative programs of excellence in medical research, facilitating commercialization of research and attracting and retaining world-class research scientists, provided, that funding from this line item shall supplement and shall not supplant funding to the medical school from line item 7100-0200 ..... \$2,000,000";

In item 7115-0100, by adding the following: "; provided, that not less than \$35,000 shall be made available to develop a Military Center for Excellence on the campus of Westfield State University that will serve as a one-stop service center for military and veteran students and their families", and in said item by striking out the figures "26,825,492" and inserting in place thereof the figures "26,860,492";

In item 7503-0100, by adding the following: "; provided, that not less than \$100,000 shall be made available for the operation of the Veteran Educational Services Center located at Bristol Community College", and in said item by striking out the figures "20,478,333" and inserting in place thereof the figures "20,578,333";

By striking out item 7515-0121 and inserting in place thereof the following item:

"7515-0121 For the Reggie Lewis Track and Athletic Center at Roxbury Community College; provided, that the college may expend an amount not to exceed \$529,843 received from fees, rentals and facility expenses associated with the running and operation of national track meets, high school track meets, high school dual meets and other non-college related special athletic events; and provided further, that only expenses for event staff, contracted services, utilities, and other normal facility operating expenses associated with these events shall be funded from this item ..... \$529,843";

By inserting before section 7 the following section: "SECTION 6D. Clause (c) of paragraph (39) of section 94 of chapter 71, as appearing in the 2014 Official Edition, is hereby amended by striking out the fifth sentence.";

By inserting after section 22 the following section: "SECTION 22A. Section 1 of chapter 254 of the acts of 2012 is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:—

(b) Council members shall be appointed for a term of 6 years. The council shall meet 4 times annually. After the first 6 years, the council shall evaluate the progress of its efforts and shall disband unless a majority of the members recognize a continuing need for the council to exist."

By inserting after section 46 the following four sections: "SECTION 46A. The Department of Higher Education is hereby authorized to establish suggested guidelines and protocols in accordance with 34 CFR 668.164(c)(2) to encourage and assist colleges and universities with the implementation of programs which reduce the cost of textbooks and other educational materials.

SECTION 46B. There shall be a special commission to investigate and make recommendations to improve efficiencies relative to transportation for homeless students in the commonwealth. The special commission shall consist of the following 11 members or their designees: the house and senate chairs of the joint committee on education, the house and senate chairs of the committee on children, families and persons with disabilities, the house and senate chairs of the joint committee on housing, the commissioner of elementary and secondary education, the commissioner of transitional assistance, and 3 members who shall be appointed as follows: 1 member appointed by the senate president who shall be a representative from an organization that services homeless families; 1 member appointed by the speaker of the house of representatives who shall be a representative from a transportation company that services homeless students and; 1 member appointed by the governor who shall be a member of the Massachusetts Municipal Association with knowledge of municipal finance.

SECTION 46C. There shall be a special commission to investigate and study services for low incidence students with disabilities and to identify opportunities for administrative efficiencies and cost savings

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by school districts. The commission shall have the following duties: (i) review available data concerning low incidence students with disabilities; (ii) consider current special education program and service delivery structures and placements for low incidence students and their costs; (iii) examine programs and services provided by non-educational agencies that support students with disabilities; (iv) identify needs and challenges in transitions from early intervention through post-secondary and adult service systems as well as student relocations from one district to another; (v) identify best practices for providing high quality and cost-effective services to low incidence students with disabilities and; (vi) determine the challenges and opportunities for ensuring coherent, appropriate and cost effective services for students across multiple agencies as they progress from early intervention services to pre-K-12 education and to postsecondary education and adult services, including, but not limited to examining the opportunity for funding to follow a child through the system.

The commission shall consist of the following 13 members or their designees: the house and senate chairs of the joint committee on education, who shall serve as co-chairs, the house and senate chairs of the joint committee on children, families and persons with disabilities, the commissioner of elementary and secondary education, the commissioner of public health; the commissioner of developmental disabilities; the commissioner of mental health; a representative of the commission for the blind; a representative of the commission for the deaf and hard of hearing; and one person selected by each of the following organizations: the Massachusetts Administrators for Special Education, the Urban Superintendents Group, the Massachusetts Organization of Educational Collaboratives, the Massachusetts Association of 766 Approved Private Schools, the Massachusetts Advocates for Children, the Federation for Children with Special Needs, Massachusetts Developmental Disabilities Council, and the Massachusetts Head Injury Foundation.

The commission shall file a report on the results of its investigation and study, and any recommendations relative thereto, with the office or the governor and with the clerks of the house of representatives and senate no later than 24 months after passage of this act.

SECTION 46D. There shall be established a commission for the purpose of investigating and studying college affordability. The commission shall examine and make recommendations on the contributing factors to rising college costs at private colleges and universities, University of Massachusetts, state colleges, and community colleges. The commission shall review and investigate the following areas: (i) employee expenditures; (ii) employee issued credit cards and expense accounts; (iii) vacation and sick time policies for management; (iv) salaries, bonuses, and stipends for management and professors; (v) professor class load; (vi) the number of management positions at each university and college and their descriptions; (vii) the cost and benefit of construction projects on campuses; (viii) endowments and annual profits; (ix) mandatory fees charged to students beyond the price of tuition charges, including technology and laboratory fees; (x) the affordability of college textbooks, including consideration of the costs and benefits of open source textbooks; and (xi) other areas the commission deems appropriate to review and study.

The commission shall consist of the following 21 members or their designees: 5 persons appointed by the governor, one of whom shall serve as the chair, one of whom shall have expertise in finance and investment, and three of whom shall be parents or guardians of current college students; 1 member of the senate to be appointed by the senate president; 1 member of the senate to be appointed by the senate minority leader; 1 member of the house to be appointed by the speaker; 1 member of the house to be appointed by the minority leader; a representative of the University of Massachusetts office of the president; a representative of the University of Massachusetts director of libraries; two members of the Student Advisory Council; a representative from the Massachusetts Office of Financial Assistance; a representative from the office of the commissioner of higher education; a member of the board of higher education; a representative of the Massachusetts State College Association; a representative of the Massachusetts Community Colleges Executive Office; a representative of Pioneer Institute; a member of the Massachusetts Society of Certified Public Accountants; and a member of the Association of Independent Colleges and Universities in Massachusetts.

The commission shall convene within four weeks after the date of enactment and may hold public hearings in a manner to be determined by the chair. The commission shall file a report of its findings and recommendations with the clerks of the house and senate by March 1, 2017.”.

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 158 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 228 in Supplement.]**

Therefore the consolidated amendments (education and local aid) were adopted.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill, in section 2, in item 0521-0000, and also in item 0521-0001 by adding, in each instance, the words “, prior appropriation continued”:

In item 0610-0050 by striking out the figures “2,271,489” and inserting in place thereof the figures “2,371,489”;

In item 0900-0100, by striking out the figures “2,068,969” and inserting in place thereof the figures “2,093,969”;

In item 0920-0300, by striking out the figures “1,536,196” and inserting in place thereof the figures “1,586,196”;

In item 0940-0100, by striking out the figures “2,898,657” and inserting in place thereof the figures “3,048,657”;

In item 0950-0000, by striking out the figures “100,950” and inserting in place thereof the figures “115,950”; and

In item 0950-0030, by striking out the figures “80,000” and inserting in place thereof the figures “100,000”;

In section 2E, in item 1595-6368, by adding the following: “; provided, that not less than \$25,000 shall be expended for a transportation grant in the town of Hudson; provided further, that not less than \$50,000 shall be expended for transportation services of children and staff to Camp Harbor View on Long Island in Boston Harbor; provided

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transportation).

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further, that not less than \$50,000 shall be expended for downtown public safety improvements in the town of Holliston;" and in said item by striking out the figures, provided further, that not less than \$200,000 shall be expended for traffic improvement in the city of Worcester; and provided further, that not less than \$100,000 shall be expended for a transportation pilot program in the city of Marlborough", and in said item by striking out the figures "327,659,302" and inserting in place thereof the figures "328,084,302"; and

In item 1595-6370, by striking out the figures "80,000,000" and inserting in place thereof the figures "81,000,000";

By inserting after section 5 the following two sections:

"SECTION 5A. Section 33 of chapter 7C of the General Laws, as appearing in the 2014 official edition, is hereby amended by inserting, in line 113, the following words after the word 'acres':— or if the gross square footage of all structures on the property is equal to or greater than 150,000 square feet.

SECTION 5B. Section 34 of said chapter 7C, as so appearing, is hereby amended by inserting, in line 79, the following words after the word 'acres':— or if the gross square footage of all structures on the property is greater than or equal to 150,000 square feet.;"

By inserting after section 6 the following four sections:

"SECTION 6A. Section 1 of chapter 51 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:— A person otherwise qualified to vote for national or state officers shall not, by reason of a change of residence within the commonwealth, be disqualified from voting for national officers and statewide ballot questions in the city or town from which the person has removed the person's residence until the expiration of 18 months from such removal upon written affirmation that the person meets the qualifications.

SECTION 6B. Said section 1 of said chapter 51, as so appearing, is hereby amended by striking out the last sentence, as inserted by section 6A, and inserting in place thereof the following sentence:— A person otherwise qualified to vote for national or state officers shall not, by reason of a change of residence within the commonwealth, be disqualified from voting for such national or state officers in the city or town from which the person has removed the person's residence until the expiration of 6 months from such removal.

SECTION 6C. Clause (g) of section 25B of chapter 54, as appearing in the 2014 Official Edition, is hereby amended by striking, in line 38, the word '14' and inserting in place thereof the following word:— 35.

SECTION 6E. Section 8B of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after the word 'examination', in line 13, the following words:— , which shall include at least 1 question that tests knowledge of how to interact safely with cyclists and pedestrians";

By inserting after section 44 the following two sections:

"SECTION 44A. Notwithstanding the provisions of any general or special law to the contrary, the personnel administrator shall certify any active employee who was transferred under chapter 25 of the acts of 2009 to, hired after November 1, 2009 into, or is serving provision-

ally or by emergency appointment in, any labor service position in the Massachusetts Department of Transportation on April 30, 2016 to permanent civil service status in that position; provided, however, that any employee not serving in the position for at least six months immediately prior to April 30, 2016, shall serve a probationary period as provided by section 34 of chapter 31 of the General Laws. The civil service seniority date shall be the first date of service in the position but not before November 1, 2009.

SECTION 44B. The Massachusetts Department of Transportation shall convene a working group, not later than October 1, 2016, for the purpose of expediting the improvement of high speed passenger rail service between Springfield, Worcester and Boston, including the establishment of high speed passenger rail service between those communities along the so-called 'Inland Route', connecting with the 'Knowledge Corridor' high speed rail line and connecting with north/south rail services in Boston. The working group shall include, but not be limited to elected officials, including the Congressional delegation, representing communities along the Inland Route, and rail lines connecting to it, the Pioneer Valley Planning Commission, the Central Massachusetts Regional Planning Commission, the Metropolitan Area Planning Commission, organized labor and existing rail service stakeholders, including Amtrak, PanAm, the Massachusetts Bay Transportation Authority and CSX Railways. The working group shall interface with the planning process authorized for funding in item 6622-1384 of section 2F, chapter 79 of the Acts of 2014 and include the goals contained in the departmental document entitled 'Transforming the Rail Network for Economic and Community Development', shall evaluate the use of so called 'maglev' propulsion technologies along this route and shall issue a report on the cost, route alignment and engineering details of the operation of the high speed rail transit route to the clerks of the house of representatives and senate who shall file the same to the joint committee on transportation no later than April 30, 2017.;" and

By inserting after section 48 the following section:

"SECTION 48A. Section 6B shall take effect on November 9, 2016.;"

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 158 members voted in the affirmative and 0 in the negative.

**[See Yeas and Nays No. 229 in Supplement.]**

Therefore the consolidated amendments (constitutional officers and state administration and transportation) were adopted.

*Recess.*

At a quarter past nine o'clock P.M. (Monday, April 25), on motion of Mr. Jones of North Reading (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at ten o'clock A.M.; and at two minutes after ten o'clock the House was called to order with Mr. Donato in the Chair.

Consolidated amendments adopted,— yeas and nays No. 229.

Recess.

**Tuesday, April 26, 2016 (at 10:02 o'clock A.M.).**

Pledge of allegiance.

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Recess.

At nine minutes after ten o'clock A.M., on motion of Mr. Barrows of Mansfield (Mr. Donato of Medford being in the Chair), the House recessed until eleven o'clock A.M.; and twelve minutes after eleven o'clock the House was called to order with Mr. Donato in the Chair.

*Silent Prayer.*

Walpole Firefighter Ryan Ferreira.

During the session (Mrs. Haddad of Somerset being in the Chair), at the request of Messrs. Rogers of Norwood, Kafka of Stoughton, McMurtry of Dedham and Dooley of Norfolk, the members, guests and employees stood in a moment of silent tribute to the memory of Ryan Ferreira, a six year veteran firefighter and paramedic with the Walpole Fire Department. Firefighter Ferreira lost his life yesterday from a medical emergency while on duty. He is survived by his girlfriend and their three year old daughter.

*Guest of the House.*

Matt Light.

During the session, the Chair (Mrs. Haddad of Somerset), declared a brief recess and introduced Matt Light, former left tackle for the New England Patriots. Matt is a 3 time Super Bowl winner and a 5 time AFC champion. He is the founder of the Light Foundation and was in the State House in support of youth activities administered by the Division of Fisheries and Wildlife.

He was the guest of Messrs. Vieira of Falmouth and D'Emilia of Bridgewater and the Sportsman's Caucus.

*Statement of Representative Fernandes of Milford.*

Statement of Mr. Fernandes of Milford.

A statement of Mr. Fernandes of Milford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for a portion of today's sitting due to official business in another part of the State House, meeting with the committee on Ways and Means. My missing of roll calls today was due entirely to the reason stated.

*Statement of Representative McMurtry of Dedham.*

Statement of Mr. McMurtry Of Dedham.

A statement of Mr. McMurtry of Dedham was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be present in the House Chamber for the session held on Wednesday, April 13, 2016. Had I been present, I would have voted in the affirmative on roll call number 212, on passing to be enacted the municipal roads bond bill; and also on roll call numbered 217, on adoption of an order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2017 [House, No. 4200] (for order, see House, No. 4199). I would have voted in the

negative on roll call numbers 213, 214, 215 and 216 (each being on a question on adoption of an amendment offered to the order relative to special procedures for consideration of the House Bill making appropriations for the fiscal year 2017). My missing of roll calls that day was due entirely to the reason stated.

*Statement of Representative Ryan of Boston.*

A statement of Mr. Ryan of Boston was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for a portion of today's sitting due to official business in another part of the State House. If I had been present for the taking of roll call number 237, I would have voted in the negative. My missing of roll calls today was due entirely to the reason stated.

Statement of Mr. Ryan of Boston.

*Statement of Representative Sannicandro of Ashland.*

A statement of Mr. Sannicandro of Ashland was spread upon the records of the House, as follows:

MADAM SPEAKER: I would like to call to the attention of the House the fact that I was absent from the House Chamber for the earlier portion of today's sitting because I was attending a funeral in the State of Rhode Island. My missing of roll calls earlier today was due entirely to the reason stated.

Statement of Mr. Sannicandro of Ashland.

*Resolutions.*

Resolutions (filed with the Clerk by Messrs. Roy of Franklin and Fernandes of Milford) congratulating Shaun Stephen Bemis on receiving the Eagle Award of the Boy Scouts of America, were referred, under Rule 85, to the committee on Rules.

Shaun Bemis.

Mr. Galvin of Canton, for said committee, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Ms. Story of Amherst, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Papers from the Senate.*

*House bills*

Authorizing the town of Montague to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 3783), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in lines 4 and 5, by striking out the words "Five Eyed Fox" and inserting in place thereof the following: "Arthur Binaco & Merchant, LLC"; and by adding the following subsection:—

Montague,—liquor license.

"(d) Upon issuance of the license authorized in this act, Arthur Binaco & Merchant, LLC shall surrender to the licensing authority the license it currently holds for the sale of wines and malt beverages to be drunk on the premises.;" and

Donna Juarez,— sick leave.

Establishing a sick leave bank for Donna Juarez, an employee of the Department of Developmental Services (House, No. 4055), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 4 by inserting after the name: "Juarez" the words "to care for her child";

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Charlton,— liens.

The Senate Bill relative to certain charges and fees in the town of Charlton (Senate, No. 2068) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Cecile Ferrie,— sick leave.

Petition (subject to Joint Rule 12) of Kevin J. Kuros and Ryan C. Fettman for legislation to establish a sick leave bank for Cecile Ferrie, an employee of the Department of Correction. To the committee on Public Service.

Billerica,— Yankee Doodle town.

Joint petition (subject to Joint Rule 12) of Marc T. Lombardo (at the request of the town) that the town of Billerica be designated as the Yankee Doodle town. To the committee on State Administration and Regulatory Oversight.

Under suspension of the rules, on motion of Mr. Gentile of Sudbury, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

Student loan tax credits.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Kate D. Campanale and others for legislation to establish tax credits and personal income tax deductions for student loan assistance. Under suspension of the rules, on motion of Ms. Fiola of Fall River, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Revenue. Sent to the Senate for concurrence.

Foxborough,— liquor license.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 4157, a Bill authorizing the town of Foxborough to grant two additional licenses for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4238) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Nangle of Lowell, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith; and it was ordered to a third reading.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Leanna Babineau, an employee of the Department of Developmental Services (see House, No. 4123), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble. A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 37 to 0. Sent to the Senate for concurrence.

Leanna Babineau,— sick leave.

Orders of the Day.

The Senate further amendment to the House amendment of the Senate Bill authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (Senate, No. 2051, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Milton,— liquor license.

The Senate amendment of the House Bill relative to home improvement contractor registration (House, No. 4022), reported by the committee on Bills in the Third Reading to be correctly drawn, was adopted, in concurrence.

Home contractors,— registration.

House bills  
Relative to the use of legal counsel by the town of Southbridge (House, No. 3999);

Third reading bills.

Relative to the Director of Public Works in the town of Southbridge (House, No. 4000);

Relative to the removal of the Director of Public Works in the town of Southbridge (House, No. 4001);

Relative to quasi-judicial boards in the town of Southbridge (House, No. 4002); and

Establishing a sick leave bank for Miranda Marie Flanagan, an employee of the Massachusetts Department of Transportation (House, No. 4124) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interests, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4200, amended), was considered.

General Appropriation Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Dempsey of Haverhill and other members of the House moved to amend it in section 2, in item 1410-0010, by adding the following: "and provided further, that not less than \$30,000 shall be expended for the Veteran's Oral History Project at the Morse Institute Library in Natick;

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provided further, that not less than \$150,000 shall be allocated for Hei-drea for Heroes; provided further, that not less than \$75,000 shall be expended for the purpose of sustaining the Massachusetts Vietnam Veter-ans Memorial located in Worcester; and provided further, that not less than \$85,000 shall be expended for the NEADS Assistance Dogs for Veterans program to train assistance dogs for veterans”, and in said item by striking out the figures “3,222,497” and inserting in place thereof the figures “3,562,497”;

By striking out item 1410-0012 and inserting in place thereof the following item:

“1410-0012 For services to veterans, including the maintenance and operation of outreach centers; provided, that the centers shall provide counseling to incarcerated veterans and to Vietnam era veterans who may have been exposed to agent orange and the families of such veterans; provided further, that not less than \$124,000 shall be expended for the operation of the Montachusett Veterans Outreach Center women’s housing program; provided further, that not less than \$75,000 shall be expended for New England Veterans Liberty House; provided further, that not less than \$100,000 shall be expended for the Springfield chapter of NAB-VET’s Veteran’s First Outreach Center to provide outreach services to veterans in Hampden County; provided further, that not less than \$200,000 shall be expended for Nathan Hale Out-reach Centers; provided further, that not less than \$30,000 shall be expended to the Leominster Vet-erans Center in the City of Leominster for the purpose of updating the Center for handicap accessibility; provided further, that not less than \$35,000 shall be expended for Vietnam Veterans of America organization in Massachusetts; provided further, that not less than \$30,000 shall be expended to the Cape & Islands Veterans Out-reach Center for the purpose of the Grace Veter-ans Program; and provided further, that centers shall provide services to veterans who were dis-charged after September 11, 2001 and the fami-lies of such veterans ..... \$3,667,641”;

In item 1410-0075, by striking out the figures “125,000” and insert-ing in place thereof the figures “250,000”;

In item 1410-0250, by adding the following: “; provided further, that not less than \$50,000 shall be expended for the Turner House Liv-ing Center for Veterans in Williamstown; provided further, that not less than \$30,000 shall be expended for transitional services at Our Neighbor’s Table in the city of Amesbury”, and in said item by strik-ing out the figures “2,891,809” and inserting in place thereof the fig-ures “2,971,809”;

In item 1410-1616, by adding the following: “; provided further that not less than \$10,000 shall be expended for maintenance services for the Korean War Memorial located in the Charlestown Navy Yard; pro-vided further, that not less than \$20,000 shall be expended for the pur-

chase and installation of the Gold Star Families Memorial Monument in Fall River; provided further, that not less than \$5,000 shall be expended for construction, upgrades or repairs for the Agawam War Memorial; provided further, that not less than \$5,000 shall be expended for con-struction, upgrades or repairs for the Southwick War Memorial; and provided further, that not less than \$10,000 shall be expended for improvements on the Veteran’s Memorial in Rockland”, and in said item by striking out the figures “100,000” and inserting in place thereof the figures “150,000”;

In item 4000-0005, by striking out the figures “6,000,000” and inserting in place thereof the figures “6,500,000”;

In item 4401-1000, in line 5, by inserting after the word “benefits” the following “; provided further, that the department shall spend no less than the amount spent in fiscal year 2016 for the young parents program and the competitive integrated employment services program; provided further, that not less than \$794,000 shall be expended for con-tracts entered into with the Massachusetts Office of Refugees and Immigrants with whom the department of transitional assistance entered into service agreements within fiscal year 2016”, and in said item by striking out the figures “5,000,000” and inserting in place thereof the figures “11,794,000”;

In item 4403-2000, in line 28, by inserting after the word “law” the following: “; provided further, that a \$40 per month rent allowance shall be paid to all households incurring a rent or mortgage expense and not residing in public housing or subsidized housing; provided fur-ther, that a non-recurring children’s clothing allowance of \$200 shall be provided to each child eligible under these programs in September 2016”, and in said item by striking out the figures “203,865,086” and inserting in place thereof the figures “209,865,086”;

In item 4800-0015, in line 110, by inserting after the word “months” the following: “; (l) the number of children and families served by the family resource centers by area; provided further, that not later than November 3, 2016, the department shall submit a report to the house and senate committees on ways and means and the joint committee on children, families, and persons with disabilities that detail any changes to rules, regulations or guidelines established by the department in the previous fiscal year to carry out its duties under chapter 119 of the General Laws; provided further, that the report shall also contain an evaluation of the family resource centers services provided and their effectiveness”;

In item 4800-0038 by adding following: “and services for people at risk of domestic violence, including payroll costs; provided further, that not less than \$25,000 shall be expended for Rick’s Place of Wilbraham to provide counseling services for youth who have experi-enced the death of a parent in the Pioneer Valley; provided further, that not less than \$25,000 shall be expended to the Methuen Athletic Improvement Committee’s Methuen Youth Center Committee for community outreach and other committee purposes; provided further, that not less than \$75,000 shall be expended for the Weymouth Teen Center to provide job skills training, remedial education services, and to promote a social service program promoting growth and social wel-fare; provided further, that not less than \$140,000 shall be expended

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and veterans).

for the Children's Advocacy Center of Suffolk County; provided further, that not less than \$250,000 shall be expended for the Children's Advocacy Center of Bristol County; provided further, that not less than \$20,000 shall be expended for On Common Ground, Inc.; provided further, that not less than \$50,000 shall be expended for the planned learning achievement for youth program in Amherst; provided further, that funds may be expended on programs that received funding in fiscal year 2013; provided further, an amount not less than fiscal year 2013 shall be expended on children's advocacy centers; provided further, that not less than \$75,000 shall be expended for the operation of the Catholic Charities Labouré Center and its Recovery Connections program; provided further, that not less than \$100,000 shall be expended for Treehouse Foundation of Easthampton for planning to replicate the Intergenerational Treehouse Community model in the metrowest region; provided further, that not less than \$75,000 shall be expended for Julie's Family Learning Program, Inc., and in said item by striking out the figures "282,777,853" and inserting in place thereof the figures "283,612,853"; and

By inserting after section 43 the following two sections:

"SECTION 43A. The department of transitional assistance, in collaboration with the executive office of health and human services, shall provide a report on current fraud detection measures within the agency and department to reduce fraud in public assistance benefit programs and to study the feasibility of implementing a biometric authentication system. The report shall include, but not be limited to, the cost savings that would result from the elimination of duplicate assistance fraud in public assistance programs and the feasibility of using biometric technology to create a reliable system of identification. The report, along with any legislative recommendations, shall be filed with the clerks of the house of representatives and the senate within 90 days of the passage of this act.

SECTION 43B. There shall be a special commission to study the feasibility of establishing an economic mobility and financial stability program for families and individuals with extremely low incomes, as defined by the U.S. Department of Housing and Urban Development, in the commonwealth. The commission shall examine data related to programs that provide joint support for stable housing and aim to increase economic self-sufficiency, program outcomes for individuals or families including changes in earned income, education, and use of state and federally funded services, and, to the extent feasible, feedback of participants enrolled in existing programs.

The commission shall consist of the following members or their designees: the undersecretary of housing and community development who shall serve as chair; the secretary of education; the secretary of labor and workforce development; the commissioner of transitional assistance; the president of the senate; the speaker of the house of representatives; the minority leader of the house of representatives; the minority leader of the senate; the senate and house chairs of the joint committee on housing; and one representative of each of the following organizations: Abt Associates, a municipal housing authority, Citizens' Housing and Planning Association, Compass Collaborative, CONNECT, Crittenton Women's Union, Homes for Families, Local Initia-

tives Support Corporation, Massachusetts Chapter of the National Association of Housing and Redevelopment Organizations, Massachusetts Coalition for the Homeless, Massachusetts Law Reform Institute, Massachusetts Union of Public Housing Tenants, Metropolitan Boston Housing Partnership, MIDAS Collaborative, Regional Housing Network of Massachusetts, United Way of Massachusetts Bay and Merrimack Valley, and the University of Massachusetts Center for Social Policy.

The commission shall file a report of its findings and recommendations with the clerks of the senate and the house of representatives who shall forward the same to the joint committee on housing on or before February 1, 2017."

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Howitt of Seekonk; and on the roll call (Mrs. Haddad of Somerset being in the Chair) 158 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 230 in Supplement.]**

Therefore the consolidated amendments (social services and veterans) were adopted.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2, in item 2000-0100, in line 5, by inserting after the word "Laws" the following: "; provided, that not less than \$100,000 shall be expended for the Swansea Beach revitalization project; provided further, that not less than \$50,000 shall be expended for energy conservation projects for school and town buildings in Belmont", and in said item by striking out the figures "7,768,750" and inserting in place thereof the figures "7,918,750";

By inserting after item 2000-0100 the following item:

"2000-0101 For the executive office of energy and environmental affairs to coordinate and implement strategies for climate adaptation and preparedness, including but not limited to the resiliency of the commonwealth's transportation, energy, and public health infrastructures; built environments; municipal assistance; improved data collection and analysis and enhanced planning; provided, that the executive office enter into interagency service agreements to facilitate and accomplish these efforts ... \$150,000";

In item 2200-0100, by adding the following: "; and, provided further, that \$125,000 shall be expended for the Buzzards Bay Coalition for coastal water quality monitoring in Buzzards Bay and Vineyard Sound", and in said item by striking out the figures "25,052,967" and inserting in place thereof the figures "25,177,967";

In item 2210-0106, in line 11, by inserting after the following: "211" the following: " ; provided further, that not less than \$1,629,860 from this item shall be made available for the operation of the toxics use reduction institute program at the University of Massachusetts at Lowell; provided further, that the department shall enter into an interagency service agreement with the University of Massachusetts to make such funding available for this purpose; provided further, that not less than \$644,096 from this item shall be made available for toxics use reduction technical assistance and technology in accordance with said chapter 211;

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amendments  
adopted,—  
yea and nay  
No. 230.

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amendments  
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environmental  
affairs).

Consolidated  
amendments  
(energy and  
environmental  
affairs).

provided further, that the department shall enter into an interagency service agreement with the executive office for energy and environmental affairs to make such funding available for this purpose”;

In item 2250-2010, by adding the following: “; provided, that not less than \$35,000 shall be expended for the pipe cleaning program in Webster”, and in said item by striking out the figures “500,000” and inserting in place thereof the figures “535,000”;

In item 2300-0101, by adding the following: “; provided further, that not less than \$50,000 shall be expended to restore the Aberjona Riverbank in Winchester; and provided, that not less than \$25,000 shall be expended to develop a recreation management plan for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat”, and in said item by striking out the figures “503,889” and inserting in place thereof the figures “578,889”;

In item 2310-0300, by adding the following: “; provided, that not less than \$100,000 shall be expended for the purpose of implementing the statewide habitat conservation plan to increase recreational opportunities and shorebird conservation on the Commonwealth’s beaches”, and in said item by striking out the figures “150,000” and inserting in place thereof the figures “250,000”;

In item 2330-0100, in line 11, by inserting after the word “fisheries” the following: “; provided further, that not less than \$50,000 shall be expended for programs at the Fishing Academy, Inc., for young people in greater Boston; provided further, that not less than \$450,000 shall be expended for a program of collaborative research by the Division of Marine Fisheries through the Marine Fisheries Institute, in collaboration with the School for Marine Science and Technology at the University of Massachusetts Dartmouth, that applies innovative technology to assess the biomass of fish, in the region managed by the New England Fishery Management Council; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the director of marine fisheries and counties; provided further, not less than \$25,000 shall be expended for a sediment aeration pilot project in the town of Falmouth; provided further, that not less than \$50,000 shall be provided for a Great Marsh green crab trapping program”, and in said item by striking out the figures “5,601,004” and inserting in place thereof the figures “6,326,004”;

In item 2511-0100, by adding the following: “; provided, that not less than \$50,000 shall be expended for the establishment and administration of a City Fruit Initiative within the New Bedford region to help tree owners grow healthy fruit, provide assistance in harvesting and preserving fruit, promote the sharing of extra fruit and work to protect urban fruit trees; provided further, that not less than \$300,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; and provided further, that not less than \$90,000 shall be expended for the apiary inspection program; and provided further, that not less than \$200,000 shall be expended for the cost of all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of eastern equine encephalitis and west Nile virus in Bristol and Plymouth counties”, and in said item

by striking out the figures “5,089,746” and inserting in place thereof the figures “5,729,746”;

In item 2511-0105, in line 7, by inserting after the word “item” the following: “; provided, that not less than \$25,000 shall be expended for Food for the World Inc.; provided further, that not less than \$110,000 shall be expended for the operation of the city of Cambridge’s Weekend Backpack Project for Food Assistance; and provided further, that not less than \$30,000 shall be expended to the Spanish American Center in the city of Leominster for the purpose of purchasing a delivery truck to transport hot and cold meals”, and in said item by striking out the figures “17,000,000” and inserting in place thereof the figures “17,665,000”;

In item 2800-0401, in line 9, by inserting after the words “requirements” the following: “; provided further, that not less than \$50,000 shall be expended for the purpose of sampling and testing of storm water systems in Belmont”, and in said item by striking out the figures “415,854” and inserting in place thereof the figures “465,854”;

In item 2800-0500, by adding the following: “; provided, that not less than \$900,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the Department of Conservation and Recreation; provided further that not less than \$50,000 shall be expended for Save the Harbor/Save the Bay’s staff time, consultants and direct expenses to support the ongoing work of the Metropolitan Beaches Commission; provided further that not less than \$50,000 shall be expended to address the cleanup of *Pilayella* algae in Lynn, Nahant and Revere, and provide further that not less than \$250,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor/Save the Bay’s Better Beaches Grants Program as recommended by the Metropolitan Beaches Commission”, and in said item by striking out the figures “1,000,000” and inserting in place thereof the figures “1,550,000”;

In item 2800-0501, in line 19, by inserting after the figures “30” the following: “; provided further, that that less than \$50,000 be expended for the continued maintenance of chemical treatments, dredging, and water chestnut removal at Coes Pond and Representative John J. Binienda Memorial Beach in Worcester”, and in said item by striking out the figures “15,261,436” and inserting in place thereof the figures “15,311,436”;

In item 2800-0700, in line 6, by inserting after the word “safety” the following: “; provided further, that not less than \$25,000 shall be expended for dam inspections and repairs at Breed and Walden ponds in Lynn”, and in said item by striking out the figures “423,295” and inserting in place thereof the figures “448,295”;

In item 2810-0100, in line 18, by inserting after the word “item” the following: “; provided further, that not less than \$40,000 shall be expended for sediment core testing for contamination in the Ellis pond in Norwood; provided further, that not less than \$25,000 shall be expended for a water treatment study in Peabody; provided further, that not less than \$10,000 shall be expended for the management and

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cleanup of invasive pond vegetation at floating bridge pond in Lynn; provided further, that not less than \$100,000 shall be expended on the replacement of the cast iron fence on the median of the Carroll Parkway in Lynn; provided further, that not less than \$20,000 shall be expended on funding playground repairs and upgrades at Shields Park located in Milton; provided further, that not less than \$20,000 shall be allocated for water testing and management for Wampatuck Pond in Hanson; provided further, that \$35,000 shall be expended for the development, improvement and landscaping of the Veterans Road Playground in Dedham; provided further, that not less than \$50,000 shall be expended for the installation of a transient dockage at the Fall River boathouse at Heritage State Park for recreational boating; provided further, that not less than \$250,000 shall be expended for a new veterans park in the city of Lowell; provided further, that not less than \$75,000 shall be expended for the maintenance and restoration of Cutler Park Reservation in Needham; provided further, that not less than \$100,000 shall be expended for the long term care and maintenance of Whitman's Pond in Weymouth; provided further, that not less than \$50,000 shall be expended for the cleanup of Pilayella algae on Kings Beach and Long Beach in Lynn; provided further, that not less than \$55,000 shall be expended for the maintenance of Red Rock Park in Lynn; provided further, that not less than \$50,000 shall be expended for the construction and improvement of the Hancock Playground in the city of Brockton; provided further, that not less than \$20,000 shall be expended for the construction and improvement of the Ali Hamilton Memorial Park in Easton; provided further, that not less than \$75,000 shall be expended for an air study at the Concord playing field between Route 126 and Crosby's Corner in Concord; provided further, that not less than \$50,000 shall be expended to the town of Concord for erosion mitigation for White Pond; provided further, that not less than \$50,000 shall be expended for park improvements in Natick; provided further, that not less than \$100,000 shall be expended for repairs to the carriage house at Lynch Park in Beverly; provided further, that not less than \$35,000 shall be granted to the city of Brockton's Parks Commission to renovate McKinley Playground; provided further, that not less than \$25,000 shall be expended for a feasibility study for the construction of a youth center in the city of Leominster; provided further, that not less than \$43,000 shall be provided to the town of Lancaster for handicap accessibility under the Americans with Disabilities Act regulations at the Town Beach; provided further, that not less than \$50,000 shall be provided for an accessible trail system including connecting to the DCR's Rail Trail System as well as handicap nature trails in Berlin; provided further, that not less than \$350,000 shall be expended for the purposes of aquatic invasive species control; provided further, that not less than \$10,000 shall be expended on the Methuen School District's rowing program; provided further, that not less than \$175,000 shall be expended for the purpose of tree re-planting in Worcester; provided further, that not less than \$75,000 shall be expended for the Let's Row Boston program administered by Community Rowing, Inc. in Boston; provided further, that not less than \$45,000 shall be expended for the treatment and preservation of Indian lake in Worcester; provided further that not less than \$50,000 shall be expended for design and con-

struction improvements to Monument Park honoring veterans in the Arlington; provided further, that not less than \$50,000 shall be expended for improvements to the Head Town Landing in Westport; provided further, that not less than \$20,000 shall be expended for the purposes of aquatic invasive species control in lake Attitash in the town of Merrimac and the city of Amesbury; provided further, that not less than \$25,000 shall be expended for the maintenance of lake Singletary in Sutton and Millbury", and in said item by striking out the figures "37,408,430" and inserting in place thereof the figures "39,536,430";

By inserting after section 32 the following section:

"SECTION 32A. (a) There shall be a farmland protection and farm viability advisory commission. The commission shall consist of the following members or their designees: the commissioner of the department of agricultural resources, who shall serve as chair, the house and senate chairs of the joint committee on environment, natural resources and agriculture; 1 member appointed by the minority leader of the senate; 1 member appointed by the minority leader of the house of representatives; and 8 members appointed by the Governor, 1 of whom shall be a member of the board of food and agriculture, 1 of whom shall be a representative of the University of Massachusetts Agricultural Extension Program; 1 of whom shall be representative of the Massachusetts Farm Bureau Federation; 1 of whom shall be a representative of The Trustees of Reservations; 1 of whom shall be a representative of American Farmland Trust; 1 of whom shall be a farmer, 1 of whom shall be a representative of a urban agriculture organization, and 1 of whom shall be a representative of a farmland access organization.

(b) The secretary of energy and environmental affairs, in consultation with the farmland protection and farm viability advisory commission, shall develop a farmland action plan that sets forth the commonwealth's goals, priorities, and actions for farmland protection and access. The plan shall include: (i) an inventory of state-owned land in active agricultural production or potentially suitable for farming; (ii) a review of state agency policies related to the use or lease of land for farming and recommendations related to state policies around the use and lease of state-owned land for farming; (iii) recommended statutory, regulatory, or policy revisions to the Agricultural Preservation Restriction (APR) program to support the long-term economic viability of protected farms, address housing needs, and ensure the program is managed in a transparent and consistent manner and that its policies keep pace with changes in agriculture and associated markets; (iv) an analysis of recent trends and potential threats related to farmland loss and conversion; (v) an analysis of farmland enrolled in chapter 61A of the General Laws and recommendations for improving enrollment of farmland in the program; (vi) measurable statewide goals and benchmarks related to farmland conversion, farmland protection, and farmland access, and recommendations for state policy changes and program funding levels to meet these goals and benchmarks as well as recommendations to improve state data collection around farmland trends and to establish a system for tracking acres of farmland in production over time.

(c) The commission shall meet at least quarterly and shall advise and make recommendations to the secretary of energy and environmental

Consolidated amendments (energy and environmental affairs).

affairs for the proper management and development of the plan. The executive office of energy and environmental affairs and the department of agricultural resources shall provide technical support to the commission. Upon completion, the farmland action plan shall be filed with the clerks of the house of representatives and senate.

SECTION 32B. There shall be a task force to examine and make recommendations relative to water supply shortages and the use of water withdrawal permits pursuant to chapter 21G of the General Laws. The task force shall review existing permits, permit conditions imposed, status of affected bodies of water, population changes of impacted areas, and any other factor deemed relevant. The task force shall consider and make recommendations for ways to mitigate adverse consequences on above ground bodies of fresh water.

Said task force shall consist of the following 7 members or their designees: the commissioner of environmental protection, who shall serve as chair; the secretary of energy and environmental affairs; 2 members of the house of representatives, 1 of whom shall be appointed by the speaker and one of whom shall be appointed by house minority leader; 2 members of the senate, 1 of whom shall be appointed by the senate president and one of whom shall be appointed by the senate minority leader; and the executive director of the Massachusetts municipal association, or their designee. The task force shall: (i) meet with affected stakeholders; (ii) consult and collaborate with nongovernmental organizations that have expertise that may benefit the task force; and (iii) conduct at least 1 public hearing.

The task force shall annually submit on or before March 1, their findings along with any recommendations to the governor, the clerks of the house and senate, and the joint committee on environment, natural resources and agriculture.”

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Schmid of Westport; and on the roll call (Mr. Donato of Medford being in the Chair) 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 231 in Supplement.]

Therefore the consolidated amendments (energy and environmental affairs) were adopted.

Quorum.

Pending the question on passing the bill, as amended, to be engrossed, Mrs. Whipps Lee of Athol asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—yea and nay No. 232.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker being in the Chair) 146 members were recorded as being in attendance.

[See Yea and Nay No. 232 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Decker of Cambridge was spread upon the records of the House, as follows:

Statement of Ms. Decker of Cambridge.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House

Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

Subsequently a statement of Ms. Dykema of Holliston was spread upon the records of the House, as follows:

Statement of Ms. Dykema of Holliston.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, meeting with members of the School Committee of the town of Southborough, and therefore I was not recorded as being in attendance.

Subsequently a statement of Mr. Lyons of Andover was spread upon the records of the House, as follows:

Statement of Mr. Lyons of Andover.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

Recess.

After remarks on the question on passing the bill, amended, to be engrossed, at twenty-six minutes after the hour of one o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Mariano of Quincy having taken the Chair), the House recessed until a two o'clock; and at a quarter after two o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Messrs. McMurtry of Dedham and Rogers of Norwood then moved to amend the bill by adding the following section:

“SECTION 69. Chapter 192 of the acts of 2014 is hereby amended in Section 1, line 2 by striking out ‘shall’ and inserting in the place thereof: ‘may’; and in line 6 by adding at the end thereof the following:— in effect as of January 1, 2010; and repealing sections 2 and 3 in their entirety.”

The amendment was rejected.

Mr. Kafka of Stoughton and other members of the House then moved to amend the bill by adding the following seven sections:

“SECTION 69. (a) There shall be a special commission on electronic security and life safety systems to provide guidance and advice to the governor, the general court, the secretary of public safety and security and the undersecretary for the office of consumer affairs and business regulation on effective state licensure models, including, but not limited to, practices that secure a high level of professionalism in the electronic security system industry, prevention, detection, and elimination of individuals and business entities not appropriate to engage in the industry and to recommend policies, including legislation, to promote certification and training, continuing education and compliance with background checks at the federal and state levels. The special commission may conduct public hearings, forums or meetings to gather information.

(b) The commission shall be comprised of (i) 4 members of the senate, 3 of whom shall be members of the majority party who shall be appointed by the senate president and 1 of whom shall be a member of the minority party who shall be appointed by the minority leader; provided, however, that 1 member of the senate shall be designated as co-chair of the commission; 4 members of the house of representatives, 3 of whom shall be members of the majority party who shall be appointed by the speaker and 1 of whom shall be a member of the

minority party who shall be appointed by the minority leader; provided, however, that 1 member of the house shall be designated as co-chair of the commission; (ii) the following 4 members, who shall serve ex officio: the Secretary of the Executive Office of Public Safety and Security, the Undersecretary for the Office of Consumer Affairs and Business Regulation, the Commissioner for the Massachusetts Department of Telecommunications and Cable, and the Executive Director for the State Board of Electrical Examiners or their designees; (iii) 1 representative of the Massachusetts Chiefs of Police Association, 1 representative of the Massachusetts State Fire Marshal's Office, 1 representative of the Massachusetts Systems Contractors Association licensed as a contractor in Massachusetts with a security system business licensed under chapter 147, 1 representative from the International Brotherhood of Electrical Workers, Local 103, who shall be a licensed electrician, 1 representative from the Massachusetts Electrical Contractors Association licensed as a contractor in Massachusetts with a security system business licensed under chapter 147, 1 representative who currently serves as a municipal inspector of wires and is a member of The Municipal Electrical Inspectors Association of Massachusetts and Rhode Island, 1 representative from a telecommunications company regulated by the Massachusetts Department of Telecommunications and Cable and 1 consumer who has experience contracting for security system services serving Massachusetts.

(c) The organizational meeting of the commission shall be convened by the co-chairs not later than 30 days after the effective date of this act whether or not all of its members have been appointed and qualified.

(d) The special commission shall make an investigation and study of Massachusetts laws and regulations, including definitions and exemptions, policies and relevant case law for their effectiveness in the oversight, licensure and uniform enforcement of the electronic security and life safety systems industry, models adopted in other states and best practices for ensuring comprehensive local and national background checks.

(e) The special commission shall file a report by December 31, 2016 with the office of the governor, the clerk of the House of Representatives and the clerk of the senate, along with recommendations, if any, together with drafts of legislation necessary to carry those recommendations into effect.

(f) In consultation with the special commission, the board of electrical examiners may develop regulations or policies to address issues of immediate concern to the commission in relation to the protection of public and consumer safety.

SECTION 70. Chapter 143 of the General Laws, as appearing in the 2012 Official Edition, shall hereby be amended in Section 3L by striking the words 'five hundred' in line 28 and inserting in place thereof, the following word:— 2,500.

SECTION 71. Said Section 3L of said chapter shall hereby be further amended by striking in lines 4 and 5 the words 'used for light, heat and power purposes in buildings and structures subject to the provisions of sections three to sixty, inclusive, and the state building code.' and inserting therein the following words:— and systems in buildings

and structures subject to the provisions of sections 3 to 60, inclusive, the state building code, and work governed by chapter 141.

SECTION 72. Said Section 3L of said chapter shall hereby be further amended in lines 22 and 31 by inserting after the word 'fixtures' the following:— or systems.

SECTION 73. Said chapter 143 shall be further amended in Section 3P by inserting in line 7 after the word 'appeal' the following words:— and decide such appeal, subject to chapter 30A relative to adjudicatory proceedings.

SECTION 74. Said section 3P of chapter 143 shall be further amended in the second paragraph by striking the second, third, fourth and fifth sentences.

SECTION 75. Said section 3P of chapter 143 shall be further amended by striking the third paragraph in its entirety and inserting in place thereof the following:— The board's decision shall be final and binding upon all parties in interest, except that compliance with any notice, interpretation, order, requirement or direction of an inspector of wires or other person charged with the enforcement of the rules, by any person who has had his certificate, registration, license or authority to do so suspended, revoked or cancelled under section 61 of chapter 112 may stay compliance pending appeal pursuant to section 64 of chapter 112 and section 11 of chapter 30A.”.

The amendment was rejected.

Ms. Balsler of Newton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 69. Chapter 175 of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after section 108J the following section:—

Section 108K. No company, and no officer or agent thereof, shall make or permit any distinction, classification, discrimination, or otherwise recognize any difference, on the basis of race, color, religion, sex, marital status, or national origin, in the amount or payment of premiums or rate charges, or in the benefits payable, or in any of the other terms or conditions of any group or individual disability, accident or sickness insurance contract issued or delivered within or without the commonwealth on or after January 1, 2011 which covers one or more residents of the commonwealth. As used in this section, sex includes, but is not limited to, conditions unique to one sex, such as pregnancy. Any violation of this section shall constitute an unfair method of competition or an unfair or deceptive act or practice in violation of chapter 176D.”.

Pending the question on adoption of the amendment, Mr. Michlewitz of Boston moved to amend it by striking out the text contained therein and inserting in place thereof the following:

“SECTION 36A. There shall be established a working group on gender equity in disability policies. The group shall consist of the following 9 members of their designees: the commissioner of insurance, who shall serve as chair, the undersecretary of consumer affairs; the house and senate chairs of the joint committee on financial services, the house and senate chairs of the joint committee on children, families and persons with disabilities, the attorney general, and 2 persons appointed by the Governor: 1 person representing the insurance industry and 1 person from the Commission on the Status of Women.

General Appropriation Bill.

Not later than 30 days after the passage of this act, the working group shall convene to study the costs and benefits of prohibiting insurance companies in the commonwealth from making any distinctions in disability policy payments, premiums or rate charges, or any other terms or conditions of any group or individual disability, accident or sickness insurance contract based on a person's race, color, religion, sex, marital status, or national origin. The working group shall submit their findings, along with any legislative recommendations to the clerks of the house of representatives and senate on or before December 31, 2016. The division of insurance shall provide any resources and assistance necessary in developing the cost-benefit analysis of the working group."

Quorum.

After remarks on adoption of the further amendment. Mr. Stanley of Waltham asked for a count of the House to ascertain if a quorum was present. A count showed that 79 members were in attendance; and inasmuch as a quorum was not present, the Chair (Mrs. Haddad of Somerset) directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum.—yea and nay No. 233.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 148 members were recorded as being in attendance.

[See Yea and Nay No. 233 in Supplement.]

Therefore a quorum was present.

After debate the further amendment was adopted, thus precluding a vote on the pending amendment.

Consolidated amendments (housing, mental health and disability services).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2, in item 1107-2501, by striking out the figures "2,943,391" and inserting in place thereof the figures "3,043,391".

By inserting after item 4000-0005 the following item:

"4000-0007	For housing and supportive services for unaccompanied youth pursuant to section 16X of chapter 6A of the General Laws; provided further, that the total amount appropriated and re-appropriated under this line item shall include unexpended funds appropriated for this item in fiscal year 2016, which shall not revert, but shall be made available for purposes of this line item for fiscal year 2017 .....	\$1,000,000";
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In item 4510-0710, in line 6, by inserting after the word "intellectual" the words "or developmental";

In item 5042-5000, in line 16, by inserting after the word "Project" the following "; provided further, that the Department shall expend no less than \$50,000 for The Children's Room located in the Town of Arlington", and in said item by striking out the figures "88,030,618" and inserting in place thereof the figures "88,080,618";

In item 5046-0000, in line 12, by inserting after the figures "2017" the following: "; provided further, that not less than \$100,000 shall be expended for the Interface referral services of William James College, Inc. formerly known as Massachusetts School of Professional Psychology, in Plymouth county; provided further, that not less than \$150,000 shall be expended for the International Institute of New England for culturally and linguistically appropriate mental health services for immi-

grants and refugees; provided further, that not less than \$200,000 shall be expended on a Department of Mental Health and the Executive office of Elder Affairs elder mental health interagency service agreement for adult home and community-based behavioral health services to adults over the age of 60", and in said item by striking out the figures "382,654,252" and inserting in place thereof the figures "383,104,252";

In item 5920-3000, by adding the following: "; provided, that the Department shall expend not less than \$100,000 to provide respite services and intensive family supports for individuals over 40 years of age; and provided further that the Department shall submit a report to the house and senate chairs of the joint committee on ways and means and the house and senate chairs of the joint committee on elder affairs on respite services and intensive family supports for individuals over the age of 40 years of age no later than December 31, 2016 and shall include, but not limited to, the following (a) the current number of individuals over 40 years of age who are eligible for respite services and intensive family supports; (b) the number of individuals over 40 years of age who are currently receiving respite services and intensive family supports; and (c) the amount of respite services and intensive family supports that each individual over 40 years of age receives", and in said item by striking out the figures "62,739,395" and inserting in place thereof the figures "62,839,395";

In item 5930-1000, in line 1, and also in section 2B, in item 5948-0012, by inserting after the word "intellectual", in each instance, the words "or developmental", and in said item 5930-1000 by striking out, in lines 2, 4, and 18, the following: "ICFs/IID" and inserting in place thereof, in each instance, the following: "ICFs/PWD";

In section 2, in item 7004-0099, in line 49, by inserting after the word "requirements" the following: "; provided further, that not less than \$50,000 be expended for the operation of a computer technology center at the Commonwealth Housing Development in Brighton; provided further, that not less than \$250,000 shall be expended annually for provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Incorporated for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011; provided further, that the Coalition for a Better Acre shall receive not less than \$75,000 for the refurbishment of the Smith-Baker Center of Lowell; provided further, that not less than \$50,000 shall be expended on the Methuen Arlington Neighborhood Inc; provided further, that \$100,000 shall be expended for the Homeless Prevention Council of Lower Cape Cod; provided further, that no less than \$40,000 shall be expended for the South Worcester Neighborhood Improvement Corporation; provided further, that not less than \$75,000 shall be expended to World is Our Classroom, Inc. serving the towns of Holyoke, Westfield, Chicopee and Greenfield; provided further, that not less than \$50,000 shall be expended for the Pleasant Street Neighborhood Network Center in Worcester", and in said item by striking out the figures "6,737,921" and inserting in place thereof the figures "7,427,921";

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In item 7004-0101, in line 153, by inserting after the word “regions” the following: “; provided further, that \$100,000 shall be made available to the Housing Assistance Corporation Cape Cod for the purpose of finding, developing, and designing a new site for the NOAH shelter currently located in Hyannis; provided further, that funds shall be expended for technical assistance by Homes for Families; provided further, that no less than \$75,000 shall be expended for Horizons for Homeless Children”, and in said item by striking out the figures “155,123,948” and inserting in place thereof the figures “155,298,948”;

In item 7004-0102, in line 9, by inserting after the word “system” the following: “; provided further, that not less than \$200,000 shall be expended for Craig’s Doors, A Home Association, Inc. in the town of Amherst; provided further, that no less than \$60,000 shall be expended for the basic needs programs for the Friendly House in Worcester; provided further, that not less than \$125,000 shall be expended for the United Way of Pioneer Valley on behalf of the Western Massachusetts Network to End Homelessness to facilitate regional coordination and implement Western Massachusetts Opening Doors: An Action Framework to Prevent and End Homelessness”, and in said item by striking out the figures “43,985,000” and inserting in the place thereof the figures “44,870,000”, and in said item by striking out the figures “1,800,000” and inserting in the place thereof the figures “2,300,000”;

In item 7004-9030 by striking out the figures “4,600,000” and inserting in the place thereof the figures “5,100,000”;

By inserting after section 5 the following section:

“SECTION 5C. Chapter 19 of the General Laws is hereby amended by hereby amended by inserting after section 16 the following section:—

Section 16A. (a) Subject to appropriation, the department shall operate a statewide program to provide remote mental health consultations, available for a minimum of 5 days a week, to pediatricians, family physicians, nurse practitioners and primary care practices for persons under the age of 19 who exhibit a possible mental health or substance use disorder and to health care providers of women who are presenting with signs of post-partum depression.

(b) Expenditures on this program by the department that are related to services provided on behalf of commercially insured clients shall be assessed by the commissioner on surcharge payors as defined in section 64 of chapter 118E.”;

By inserting after section 6 the following section:

“SECTION 6F. Section 8J of chapter 40 of the General Laws, as so appearing, is hereby amended by striking out, in line 24, the word ‘nine’ and inserting in place thereof the figures:— 13.”; and

By inserting after section 39 the following two sections:

“SECTION 39A. There is hereby established a special commission on behavioral health promotion and upstream prevention to investigate evidence-based practices, programs and systems to prevent behavioral health disorders and promote behavioral health across the commonwealth. The commission shall: (1) consider recommendations from state and federal reports, guides and action plans to promote behavioral health; (2) identify sustainable, cost-beneficial and evidence-based privately or publicly funded programs or practices, implemented inside or outside of the commonwealth, which are designed to promote behav-

ioral health, prevent disorders, and support early detection and intervention of behavioral health disorders; (3) assess approaches to improve the commonwealth’s system of behavioral health promotion and prevention, including, but not limited to: (i) programs and practices that could be implemented over the next decade to promote behavioral health, (ii) the creation of a single state behavioral health agency, and (iii) ways to increase collaboration at the state and local levels between community coalitions and public health, mental health, healthcare, education, social services and public safety organizations; (4) assess innovative approaches for funding promotion and prevention programs; (5) recommend strategies, including legislative action, to shift healthcare spending over the long term from acute and inpatient behavioral health care to promotion and upstream prevention, without diminishing treatment or recovery services for those in need; (6) recommend evidence-based, primary and secondary-level programs or practices that are community, family or school-based, including whole school approaches, that reduce risk factors and increase protective factors for behavioral health disorders and foster social and emotional health; and (7) recommend measurable statewide behavioral health goals consistent with the goals identified in clauses (1) to (6), inclusive, for preventing behavioral health disorders over the next decade.

The commission shall consist of 24 members or their designees: 2 members of the house of representatives, 1 of whom shall be appointed by the speaker of the house and shall serve as co-chair, and 1 of whom shall be appointed by the minority leader of the house of representatives; 2 members of the senate, 1 of whom shall be appointed by the senate president and shall serve as co-chair, and 1 of whom shall be appointed by the minority leader of the senate; the chief justice of Massachusetts trial court; the commissioner of mental health; the commissioner of public health; the commissioner of elementary and secondary education; the commissioner of the division of insurance; the secretary of public safety and security; the executive director of the health policy commission; the executive director of the center for health information and analysis; the executive director of the Massachusetts community health information profile; the executive director of the mental health legal advisors committee; the executive director of the Massachusetts public health association; the executive director of the Massachusetts organization for addiction recovery; the president of the Massachusetts association for behavioral health; the president of the Massachusetts chapter of the national association for social workers; and 6 members who shall be appointed by the governor, 1 of whom shall be a representative from the health insurance industry, 1 of whom shall be an expert in mental and behavioral health promotion, 1 of whom shall be an expert in school-based public health, 1 of whom shall be an expert in community-based public health, 1 of whom shall be an expert in planning and environmental health, and 1 of whom shall be a representative from the social and emotional learning alliance for Massachusetts.

The commission may hold public meetings and fact-finding hearings as it considers necessary; provided, however, that the commission shall conduct at least 3 public hearings to receive testimony from members of the public. The commission shall file the report of its investigation and study with the clerks for the house of representatives

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and the senate, no later than 24 months after the date of the first meeting of the commission; provided, however, that the commission may, at the discretion of the chairs, make a draft report available to the public for comment before filing the final version.

SECTION 39B. There is hereby established a special commission on nutrition for homeless families. The commission shall investigate and study the need for and methods to provide nutritious and medically safe meals to homeless families temporarily housed in hotels and motels in all counties of the commonwealth. The commission shall consist the following members or their designees: the undersecretary of housing and community development; the commissioner of transitional assistance; the commissioner of children and families; the commissioner of mental health; the commissioner of public health; the commissioner of elementary and secondary education; and 1 representative from each of the following organizations: a regional food bank, an organization serving homeless families, a civil legal aid organization, Community Servings, Project Bread, and Food for Free; and three members, from different geographic regions, from hospitals providing services to medically complex children. The commission shall report its findings, including any proposed legislation, to the clerks of the house of representatives and senate who shall forward the same to the joint committee on housing and the joint committee on children, families, and persons with disabilities no later than July 1, 2017.”

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Honan of Boston; and on the roll call 158 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 234 in Supplement.]**

Therefore the consolidated amendments (housing, mental health and disability services) were adopted.

Messrs. Dempsey of Haverhill and Jones of North Reading then moved to amend the bill by inserting after section 29 the following section:

“SECTION 29A. There shall be established an employee vacation and earned sick leave credit task force to study and make recommendations on establishing a uniform state policy regarding the cashout of vacation and sick leave credits applicable to employees of the commonwealth who are in positions that are not subject to collective bargaining agreements. The task force shall be comprised of the following 11 members or their designees: the secretary of administration and finance, who shall serve as chair, the administrator of the trial court, the colonel of the state police, the chair of the board of higher education, 1 person appointed by the speaker of the house of representatives, 1 person appointed by the senate president, 1 person appointed by the minority leader of the house of representatives, 1 person appointed by the minority leader of the senate, and 3 persons appointed by the Governor, one of whom shall have experience in labor law.

The task force shall study and make recommendations on establishing the following uniform policies and in so doing shall examine the practices of neighboring states: (1) rate of accrued sick leave; (2) cashout of sick leave credit upon retirement; (3) payment of sick leave credits upon death of the employee; and (4) transfer of sick leave credits from other

Consolidated amendments adopted—yea and nay No. 234.

political subdivisions of the commonwealth. In addition the task force shall study the feasibility of establishing an extended illness leave bank for all employees of the commonwealth.

The task force shall convene not later than 30 days after the effective date of this act and shall file its recommendations with the clerks of the house of representatives and senate on or before October 1, 2016.”

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 158 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 235 in Supplement.]**

Therefore the amendment was adopted.

Messrs. Galvin of Canton and Kafka of Stoughton then moved to amend the bill by adding the following section:

“SECTION 69. Chapter 242 of the acts of 2012 is hereby amended in section 33 by striking the words ‘fair market value, shall be made free of interest and shall be payable over a period of not less than 10 years’ and replacing it with the following: ‘\$175,000’.”

The amendment was adopted.

Mr. Howitt of Seekonk then moved to amend the bill by adding the following section:

“SECTION 70. Section 19C of chapter 138 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after paragraph (n), the following paragraph:—

(o) Notwithstanding any provision of this chapter to the contrary, a farmer brewer shall be permitted to fill empty growlers, provided by consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term ‘growler’ shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.

SECTION 70A. Section 19D of said chapter 138, as so appearing, is hereby amended by inserting after paragraph (m), the following paragraph:—

(n) Notwithstanding any provision of this chapter to the contrary, a pub brewer shall be permitted to fill empty growlers, provided by consumers for retail sale, if said growler was purchased for the purpose of holding malt beverages. For the purposes of this section, the term ‘growler’ shall mean a large glass, including bottles, jugs, or other containers, which can hold up to 100 ounces of a malt beverage as defined in section 2, and is purchased from any licensed malt beverages manufacturer or wholesaler.”

The amendment was adopted.

Mr. Jones of North Reading then moved to amend the bill by adding the following section:

“SECTION 71. Sections 303A to 303E, inclusive, of chapter 94 of the General Laws are hereby repealed.”

The amendment was adopted.

The same member then moved to amend the bill by adding the following section:

Amendment adopted—yea and nay No. 235.

“SECTION 72. Sections 66 to 73, inclusive, of chapter 94 of the General Laws are hereby repealed.”.

The amendment was adopted.

Recesses.

At thirteen minutes before five o'clock P.M., the Chair (Mrs. Had- dad of Somerset) declared the House stand in recess subject to the call of the Chair; and at twenty-nine minutes after five o'clock, the House was called to order with Mr. Donato of Medford in the Chair.

The House thereupon took a further recess, subject to the call of the Chair; and at one minute after six o'clock the House was called to order with Mr. Kafka of Stoughton in the Chair.

The House thereupon took a further recess until seven o'clock; and at ten minutes after seven o'clock the House was called to order with Mr. Donato of Medford in the Chair.

Quorum.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Lyons of Andover asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Donato), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,—  
yea and nay  
No. 236.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 146 members were recorded as being in attendance.

[See Yea and Nay No. 236 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Ms. Campbell of Methuen was spread upon the records of the House, as follows:

Statement of  
Ms. Campbell  
of Methuen.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

Subsequently a statement of Ms. Decker of Cambridge was spread upon the records of the House, as follows:

Statement of  
Ms. Decker of  
Cambridge.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

“SECTION 73. Notwithstanding the provisions of any general or special law to the contrary, no state tax dollars shall be expended on any organization, or its affiliates, that is found to be in violation of Chapter 112, section 12J of the Massachusetts General Laws.”.

Amendment  
rejected,—  
yea and nay  
No. 237.

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 40 members voted in the affirmative and 117 in the negative.

[See Yea and Nay No. 237 in Supplement.]

Therefore the amendment was rejected.

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2E by adding after item 1595-1069 the following item:

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“1595-4510 For an operating transfer to the Substance Abuse Ser- vices Fund established in section 21 of chap- ter 111 of the General Laws; provided, that the funds in this item shall be expended to increase the number of clients receiving substance abuse treatment through the bureau of substance abuse services; provided further, that in meeting that requirement, the bureau shall utilize a range of treatment settings including, but not limited to: (i) detoxification services; (ii) clinical stabiliza- tion services; (iii) residential treatment services; (iv) outpatient treatment services; (v) counseling; (vi) promoting primary care practitioners' access to available, trained and certified addiction specialists for consultation or referral; and (vii) educ- ating primary care providers, including nurse practitioners and physician assistants, about addic- tion prevention and treatment and to encourage primary care physicians, nurse practitioners and physician assistants to screen for signs of sub- stance abuse; provided further, that in determin- ing the range of services to expand, the bureau shall select a range of treatment settings that pri- oritizes: (a) treatment methods that are evidence- based and cost effective; (b) ensuring substance abuse treatment access to historically underserved populations; and (c) availability of a continuum of services and care for clients entering substance abuse treatment at any level; and provided fur- ther, that the commissioner of public health shall report quarterly to the executive office for admin- istration and finance, the joint committee on men- tal health and substance abuse and the house and senate committees on ways and means on: (1) the way funds were spent in the previous quarter, including, but not limited to, an itemized account- ing of the goods and services that were procured; (2) an accounting of substance abuse services provided by the fund, broken down by month and type of service, since 2011 through the current quarter; (3) the number of clients served, by month and type of service; (4) the number of new and returning clients, by service; (5) amounts expended by type of service for each month in the prior quarter; and (6) procurement and service goals for the subsequent quarter ..... \$1,000,000.”;

In item 4510-0110, by adding the following: “; provided further, that not less than \$100,000 shall be expended for the operation of the South Boston Community Health Center and its Youth Ambassador Program and South Boston Leadership Initiative; provided further, that not less than \$50,000 shall be expended for the Mattapan Integrative Care Partnership Pilot program among the Mattapan Community Health Center, Mattahunt Community Center, Mattahunt Elementary School, and the Wheelock College Social Work Department for a behavioral health practice at the Mattapan Community Health Center

Consolidated amendments (public health).

and support a full time licensed social worker to bring mental health care to the community's youth and to improve the coordination of care; provided further, that not less than \$50,000 shall be expended for the operation of the daytime resource center at the Grace Center, Inc.; and provided further, that not less than \$125,000 shall be expended towards the North End Waterfront Neighborhood Health Center for the purpose of operations and maintenance of treating substance abuse", and in said item by striking out the figures "1,223,773" and inserting in place thereof the figures "1,548,773";

By inserting after item 4510-0110 the following item:

"4510-0112 For the department of public health to conduct a postpartum depression pilot program at community health centers in the cities of Holyoke, Lynn and Worcester and the Jamaica Plain ..... \$200,000";

In item 4510-0710, in line 22, by inserting after word "evaluation" the following: "; provided further, that not less than \$50,000 shall be expended for Operation House Call at The Arc of Massachusetts to maintain and expand training to medical students and other graduate level health care professionals to work with individuals with autism and other developmental and intellectual disabilities", and in said item by striking out the figures "10,760,498" and inserting in place thereof the figures "10,810,498";

In item 4512-0200, in line 11, by inserting after figures "2015" the following: "; provided further, that not less than \$100,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services; provided further that no less than \$150,000 shall be expended to Harbor Health Services for a grant program to prevent and treat addiction to opioid and related substances; provided further, that not less than \$150,000 shall be expended for the operation of the Behavioral Health and Outpatient Substance Abuse Services to provide counseling and treatment for individuals suffering from behavioral health challenges and/or substance abuse at the Dimock Community Center; provided further, that not less than \$84,000 shall be expended for the Milford Police Department and the Juvenile Advocacy Group to maintain a regional substance abuse outreach and intervention program in the Greater Milford area; provided further that not less than \$250,000 shall be expended for a federally qualified community health center with a 24/7 emergency department licensed as a satellite emergency facility under 105 CMR 130 that has a written affiliation agreement with a mental and behavioral health provider to integrate primary care and mental/behavioral health services for the treatment and prevention of substance abuse, among other health conditions; provided further, that programs in substantial regulatory and contractual compliance shall receive not less than the same level of funding in fiscal year 2017 as received in fiscal year 2016; provided further, that not less than \$150,000 shall be expended for a behavioral health pilot program in the towns of Quincy and Hull to be developed and run by the Manet Community Health Center, provided further that said program shall focus on the assessment, counseling and treatment of individuals struggling with mental health and/or substance abuse at Manet Community Health Center; provided further, that not less than \$100,000 shall be expended to the city of Melrose for the purpose of funding the substance abuse

coalition and hiring a coordinator; provided further, that no less than \$75,000 shall be allotted to the George Crane Memorial Center in Pittsfield for peer support programming and operational costs; provided further, that not less than \$200,000 shall be expended for the purchase and renovation of an opiate recovery treatment facility of Into Action Recover, Inc; provided further, that not less than \$75,000 shall be allocated to substance abuse prevention in the city of Everett for the hiring of a school prevention specialist, as well as materials for relevant resources and training; provided further, that no less than \$150,000 shall be expended to the town of Braintree for Braintree's Community Partnership on Substance Abuse; provided further, that not less than \$150,000 shall be expended for Self-Esteem Boston's direct services programs for women in the Boston region and provider training programs; provided further, that not less than \$10,000 shall be expended for Haven of Hope for community outreach and services in Methuen and Lawrence; provided further, that not less than \$20,000 shall be expended for the Merrimack Valley Prevention and Substance Abuse Project toward resources, community outreach and programs in Methuen, Lawrence, Haverhill and North Andover; provided further, that not less than \$100,000 shall be expended for the New Beginnings program that targets youth at risk and in recovery in collaboration with school districts; provided further, providing further, that not less than \$50,000 shall be expended to The Psychological Center in Lawrence toward the Pegasus House residential treatment facility; provided further, that not less than \$95,000 shall be expended for the Eastern Massachusetts Goal Setting and Relapse Prevention program in collaboration with the Juvenile Court Department office situated in Dedham; provided further, that the department of public health shall provide not less than \$100,000 for a statewide program to improve the care and training for newborns with neonatal abstinence syndrome at hospital-based facilities that care for mothers and newborns, including the ten level III neonatal intensive care units in the commonwealth; provided further, that the program shall encourage collaboration between medical providers, community organizations and public health agencies to educate and increase the standardization of practices while developing a robust statewide database to allow for measured improvements in care and outcomes for newborns with neonatal abstinence syndrome, including reductions in length of stay and pharmacologic treatment; provided further, that not less than \$100,000 shall be expended for Project RIGHT's substance abuse and trauma prevention initiative in the Grove Hall area of Boston; "[sic]; provided further that not less than \$75,000 shall be expended to the City of Leominster for the one-time purpose of the development of a comprehensive, real time referral and information system to address mental health and support services, including the opiate addiction epidemic in North Worcester County; provided further, not less than \$175,000 shall be expended for the continuation of a comprehensive substance abuse and narcotic use reduction program at a federally qualified community health center located in South Boston; provided further that \$25,000 shall be made available for the purchasing of Narcan for the police and fire personnel in the Town of Wakefield", and in said item by striking out the figures "126,588,987" and inserting in place thereof the figures "128,972,987";

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In item 4513-1000, by striking out the figures "5,529,706" and inserting in place thereof the figures "5,624,931";

In item 4513-1020 by striking out the figures "27,400,167" and inserting in place thereof the figures "28,400,167";

In item 4513-1026, in line 6, by inserting after word "affairs" the following: "; provided, that not less than \$50,000 shall be expended to Call 2 Talk in Framingham to provide suicide prevention, intervention and post-intervention services"; and in said item by striking out the figures "4,130,748" and inserting in place thereof the figures "4,180,748";

By inserting after item 4513-1026 the following item:

"4513-1027 For Samaritans Inc.; provided, that funds may be used for suicide prevention services ..... \$400,000";

In item 4513-1098, by striking out, in each instance, the figures "150,000" and inserting in place thereof the figures "200,000";

By striking out item 4513-1111, and inserting in place thereof the following:

"4513-1111 For the promotion of health and disease prevention including, but not limited to, the following programs: breast cancer prevention; diabetes screening and outreach; ovarian cancer screening; a statewide STOP stroke program and ongoing stroke prevention and education; hepatitis C prevention and management; multiple sclerosis screening, information, education and treatment programs and the Multiple Sclerosis Home Living Independently Navigating Key Services program administered by the Greater New England Chapter of the National Multiple Sclerosis Society; colorectal cancer prevention; prostate cancer screening, education and treatment with a particular focus on African American males; osteoporosis education; and maintenance of the statewide lupus database; provided, that not less than \$50,000 shall be expended for education and support of patients diagnosed with phenylketonuria, PKU, or related disorders and their families through a grant to the New England Connection for PKU and Allied Disorders, Inc; provided further, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; provided, that funds may be expended for the operation of the Betsy Lehman Center for patient safety; provided further, that \$100,000 shall be appropriated to the University of Massachusetts – Dartmouth to be expended for the operation of the Cranberry Health Research Center at the University of Massachusetts – Dartmouth; and provided further, that not less than \$50,000 shall be expended to fund the Haitian American Public Health Initiative (HAPHI) to provide vital health-care and education services to thousands of families and children in the Haitian community in the City of Boston and Town of Milton ..... 3,749,010";

In item 4513-1130, in line 4, by inserting after words "hotline" the following: "; provided further that services funded through this line shall include a statewide domestic violence hotline, community based domestic violence response, emergency and transitional residential services for domestic violence victims and their children, supervised visitation and trauma services for children who witness violence and targeted services for department of children and families involved families; provided further, that no less than \$75,000 be allocated for the Katie Brown Educational Program for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence; provided further, that \$150,000 be expended for the operation of the Portal to Hope servicing Everett, Malden & Medford", and in said item by striking out the figures "30,572,153" and inserting in place thereof the figures "30,797,153";

In item 4590-0250, in line 16, by inserting after word "programs" the following: "; provided further, that not less than \$100,000 shall be expended for the Massachusetts Model of Community Coalitions; provided further, that no less than \$35,000 shall be expended for the purpose of establishing and supporting a school-based health center at Malden High School in the City of Malden; provided further, that not less than \$25,000 shall be expended to Methuen High School toward the Students Against Destructive Decisions substance abuse program", and in said item by striking out the figures "11,932,830" and inserting in place thereof the figures "12,092,830";

In item 4590-0915, in line 3, by inserting after words "services" the following: "; provided, that the Massachusetts Hospital School shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation; provided further, that not less than \$150,000 shall be expended for the Massachusetts Hospital School Summer Program; and provided further, that Tewksbury hospital shall maintain the same number of beds in fiscal year 2017 as was maintained in fiscal year 2016", and in said item by striking out the figures "157,667,054" and inserting in place thereof the figures "157,817,054";

By striking out item 4590-0925 and inserting in place thereof the following item:

"4590-0925 For the costs of a prostate cancer awareness and education program focusing in particular on men with African-American heritage, family history of the disease, and other men at high risk; provided, that the department of public health shall oversee and manage said program and shall grant not less than eighty-five percent of the funds from this item to a non-profit foundation that shall leverage existing partnerships with other state-funded non-profit organizations and current and past federally, state and privately funded prostate cancer programs aimed at saving lives, improving quality of life and reducing health care costs ..... \$500,000";

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In item 4590-1507 by adding the following: “; provided further, that not less than \$50,000 shall be expended for programs and services at the Milford Youth Center; provided further, that not less than \$100,000 shall be expended for the Center for Teen Empowerment, Inc; provided further, that not less than \$20,000 shall be expended to the Methuen YMCA toward child abuse prevention programs; provided further that not less than \$15,000 shall be expended to the Salvation Army Bridging the Gap Between Youth and Community Services program in Lawrence; provided further, that the department of public health shall award not less than \$1,200,000 to the Massachusetts Alliance of Boys and Girls Clubs, which shall be distributed equally between said recipient’s member organizations; and provided further, that the department shall award not less than \$1,000,000 to the Alliance of Massachusetts YMCA’s Inc., which shall be distributed between the alliances member organizations”, and in said item by striking out the figures “1,950,000” and inserting in place thereof the figures “4,335,000”;

By inserting after section 7 the following section:

“SECTION 7A. Section 1 of chapter 94C of the General Laws, as so appearing, is hereby amended by striking out, in the definition of ‘administer’, clause (c) and inserting in place thereof the following clauses:—

(c) a registered pharmacist at the direction of a prescribing practitioner in the course of the practitioner’s professional practice with respect to prescriptions for mental health and substance abuse only; or  
(d) an ultimate user or research subject at the direction of a practitioner in the course of his professional practice.”;

By inserting after section 16 the following section:

“SECTION 16A. Section 2 of chapter 111C of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following clause:—

(16) provide for mobile integrated health programs that are also the primary ambulance service for a jurisdiction to avert emergency calls for EMS from emergency departments when care is more appropriate in a non-emergency department setting, provided, however, that: i) the care occurs with qualified medical direction; ii) the mobile integrated health program shall be approved by the department pursuant to chapter 111O; and, iii) each mobile integrated health program’s emergency department aversion protocols are approved by the department.”;

By inserting after section 19 the following section:

“SECTION 19A. Subsection (a) section 12EE of Chapter 112 of the General Laws, as so appearing, is hereby amended by striking out, in line 17, the words ‘biosimilar and interchangeable with’ and inserting in place thereof the following words:— ‘therapeutically equivalent to.’”;

By inserting after section 26 the following four sections:

“SECTION 26A. The department of public health and the department of elementary and secondary education shall develop a transportation plan for recovery high schools. The plan shall ensure that each student attending a recovery high school, as defined in section 91 of chapter 71, has access to transportation between home and school.

SECTION 26B. Notwithstanding any general or special law to the contrary, there is hereby established a special commission for the pur-

pose of conducting an investigation and study of strategies to promote public awareness and increase knowledge of the causes of chronic obstructive pulmonary disease (COPD), the importance of early diagnosis, effective prevention strategies, and disease management. The special commission shall: (i) determine what existing resources are currently being utilized; (ii) to the extent feasible determine if there exists a scientific base of knowledge concerning COPD through surveillance, epidemiology and research and; (iii) assess whether there is a need for improving the quality and accessibility of existing community-based COPD services. The special commission shall consist of the following members or their designees: the chairs of the joint committee on public health; the commissioner of public health; the secretary of elder affairs; a representative of the American Lung Association; and 4 members to be appointed by the governor as follows: a patient representative; a pulmonologist; a respiratory therapist; and a representative of the health insurance industry. The special commission shall report, in writing the results of said study together with its recommendations, if any, to the joint committee on public health not later than December 31, 2017.

SECTION 26C. Notwithstanding any special or general law to the contrary, there shall be a special commission to study and develop recommendations to broaden the availability of naloxone without a prescription, including but not limited to recommendations on the standing order process, the collaborative practice agreement process, and any legislative recommendations.

The special commission shall consist of the following 11 members or their designees: the secretary of health and human services, who shall serve as chair; the commissioner of the division of insurance; 3 members to be appointed by the governor, one of whom shall be a prescribing physician, one of whom shall be a stakeholder within a retail pharmacy company, and one shall be an individual personally effected by the opiate epidemic; 2 members of the house of representatives, one of whom shall be appointed by the minority leader; 2 members of the senate, one of whom shall be appointed by the minority leader; the director of the board of pharmacy and; the director of the bureau of substance abuse services within the department of public health.

The special commission shall submit its recommendations, together with drafts of any legislation, to the clerks of the house of representatives and the senate and the chairs of the joint committee on mental health and substance abuse not later than December 31, 2016.

SECTION 26D. Notwithstanding any general or special law to the contrary, the department of public health shall issue, not later than October 1, 2016, recommendations to encourage the co-prescription of naloxone to patients at risk who are taking opioid analgesics.”

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Ms. Hogan of Stow; and on the roll call 157 members voted in the affirmative and 0 in the negative.

**[See Ye and Nay No. 238 in Supplement.]**

Therefore the consolidated amendments (public health) were adopted.

Consolidated  
amendments  
adopted,—  
yea and nay  
No. 238.

Consolidated  
amendments  
(health and  
human  
services  
and elder  
affairs).

Mr. Dempsey of Haverhill and other members of the House then moved to amend the bill in section 2, by striking out item 4000-0300 and inserting in place the following item:

“4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs authorized by chapter 118E of the General Laws; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha’s Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall contract with Martha’s Vineyard Community Services, Inc. for no less than \$100,000 to increase access to health and human services on Martha’s Vineyard and Nantucket, and such funds shall be used to cover feasible travel costs associated with arranging access to health and human services; provided further, that in consultation with the center for health information and analysis, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers shall not exceed the rates that are necessary to meet only those costs which shall be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that expenditures for the purposes of each item appropriated for programs authorized by said chapter 118E shall be accounted for in the Massachusetts management accounting and reporting system not more than 10 days after the expenditures have been made by the Medic-

aid management information system; provided further, not less than \$25,000 shall be provided to Baystate Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to make extensive improvements to the existing entranceway access for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Baystate Noble Hospital; provided further, that no expenditures shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of said Social Security Act or the MassHealth demonstration waiver pursuant to section 1115(a) of said Social Security Act or the community first demonstration waiver pursuant to section 1115 of said Social Security Act, whether made by the executive office or another commonwealth entity, except as required for: (a) the equivalent of MassHealth standard benefits for children under age 21 who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are age 21 or over; or (c) cost containment efforts, the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days prior to making these expenditures; provided further, that the federal financial participation received from claims filed based on in-kind administrative services related to outreach and eligibility activities performed by certain community organizations, under the “covering kids initiative,” and in accordance with the federal revenue criteria in 45 CFR 74.23 or any other federal regulation which provides a basis for federal financial participation, shall be credited to this item and may be expended, without further appropriation, on administrative services including those covered under an agreement with the organizations participating in the initiative; provided further, that in calculating rates of payment for children enrolled in Mass Health receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of said chapter 118E, the executive office shall make a supplemental payment not less than \$14,800,000 to any acute care pediatric hospital and pediatric specialty unit in the commonwealth, above base rates, to compensate for high-complexity pediatric care; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and these recoveries shall be considered current fiscal year

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expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the commissioner of mental health shall approve any prior authorization or other restriction on medication used to treat mental illness in accordance with written policies, procedures and regulations of the department of mental health; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than January 13, 2017 on the number of members served in the dual eligible initiative, the average expenditure per member, the average expenditure per member prior to the demonstration project and the number of clients that receive care at skilled nursing facilities; provided further, that any projection of deficiency in item 4000-0430, 4000-0500, 4000-0600, 4000-0640, 4000-0700, 4000-0875, 4000-0880, 4000-0885, 4000-0940, 4000-0950, 4000-0990, 4000-1400, 4000-1420 or 4000-1425 shall be reported to the house and senate committees on ways and means not less than 90 days before the projected exhaustion of funding; provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2017; and provided further, that not later than January 18, 2017, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2016 and fiscal year 2017 ..... \$100,213,866”;

In item 4000-0600, in line 20, by striking out the words “up to” and inserting in place thereof the word “of”;

By striking out item 4000-0700 and inserting in place thereof the following item:

“4000-0700 For health care services provided to medical assistance recipients under the executive office’s health care indemnity or third party liability plan, to

medical assistance recipients not otherwise covered under the executive office’s managed care or senior care plans and for MassHealth benefits provided to children, adolescents and adults under section 9 of chapter 118E of the General Laws and clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of said chapter 118E and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes as determined by the executive office exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits through the age limit specified in MassHealth’s approved state plan; provided further, that not less than \$1,000,000 shall be made available to establish a 1-year pilot program to increase efficiencies and align system-wide goals within a 1 regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver; provided further, the pilot program will include measurable milestones that shall demonstrate progress in at least 1 of the following areas: (i) care coordination, integration and delivery transformations; (ii) electronic health record and information exchange advancements; (iii) increasing alternative payment methods and accountable care organizations; (iv) enhancing patient safety; (v) increasing access to behavioral health services; (vi) increasing coordination between system hospitals and community-based providers and organizations; and (vii) preparing the system to undertake risk as a potentially designated ACO; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to the recipients in prior fiscal years; provided further, the funds appropriated in item 4000-0265 of section 2A of chapter 142 of the acts of 2011 shall again be appropriated for the same dollar amount as in said item 4000-0265 and shall be distributed in and managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012; provided further, that in fiscal year 2017 MassHealth shall maintain the same level of federally-optional chiropractic services that were in effect in fiscal

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year 2016 that were included in its state plan or demonstration program in effect on January 1, 2002 for members enrolled in the primary care clinician (PCC) program; provided further, that the executive office shall not, in fiscal year 2017, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding this item, funds may be expended from this item for the purchase of third party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; and provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent, or provider ..... \$2,435,238,433”;

In item 4100-0060 by adding the following: “and provided further, that up to \$1,563,617 of this appropriation may be expended for the operation of the Betsy Lehman Center for Patient Safety”;

In item 9110-1660 by adding the following: “; provided, that not less than \$642,000 shall be expended for providers of naturally occurring retirement communities with whom the department of elder affairs entered into service agreements within fiscal year 2016 at proportions of total available funding equal to those provided in fiscal year 2016”, and in said item by striking out the figures “1,417,798” and inserting in place thereof the figures “2,059,798”;

In item 9110-1900 by adding the following: “; and provided further, that not less than \$750,000 shall be expended for home delivered meals”, and in said item by striking out the figures “6,506,375” and inserting in place thereof the figures “7,256,375”;

By striking out item 9110-9002 and inserting in place thereof the following item:

“9110-9002 For grants to the councils on aging and for grants to or contracts with non-public entities which are consortia or associations of councils on aging; provided, that notwithstanding the foregoing, all monies appropriated in this item shall be expended in accordance with the distribution schedules for formula and incentive grants established by the secretary of elder affairs; provided further, that no less than \$25,000 shall be allocated for the operation of the South Boston Neighborhood House and its Senior Programs; provided further, that the distribution schedules shall be submitted to the house and senate committees on ways and means; provided further, that no less than \$50,000 shall be expended for the maintenance of the heating system at the Gladys L. Hurrell Senior Center in Rehoboth; provided further, that

\$200,000 shall be expended for the construction, design, improvement, and addition of a council on aging facility at Dedham town hall; provided further, that not less than \$50,000 shall be expended for hiring a full time director for the Council on Aging in Wareham; provided further, that not less than \$75,000 shall be expended for the cost associated with care and services provided at Whipple Senior Center in Weymouth; provided further, that no less than \$50,000 shall be expected for ABCD North End/West End elderly program; provided further, that not less than \$50,000 shall be expended to the towns of Maynard and Acton for the senior van program; provided further, that no less than \$100,000 shall be expended to provide furnishings and equipment for a Senior Community Center in Greenfield; and provided further, that not less than \$20,000 shall be granted to Quincy’s Council on Aging to enable the agency to create a dementia-capable system of home and community-based services and supports ..... \$14,650,000”;

In section 2D by inserting after the title “EXECUTIVE OFFICE OF HEALTH AND HUMAN SERVICES.” the following:

“Executive Office of Elder Affairs	
OLDER AMERICANS ACT	
For the purposes of a federally funded grant entitled,	
Older Americans Act	
9110-1074 .....	\$109,606
TITLE VII OMBUDSMAN	
For the purposes of a federally funded grant entitled,	
Title VII Ombudsman	
9110-1075 .....	\$336,169
TITLE IIIB SUPPORTIVE SERVICE	
For the purposes of a federally funded grant entitled,	
Title IIIB Supportive Service	
9110-1076 .....	\$10,182,633
NATIONAL FAMILY CAREGIVER SUPPORT PROGRAM	
For the purposes of a federally funded grant entitled,	
National Family Caregiver Support Program	
9110-1077 .....	\$3,700,000
IIID PREVENTATIVE HEALTH	
For the purposes of a federally funded grant entitled,	
IIID Preventative Health	
9110-1079 .....	\$436,823
STATE HEALTH INSURANCE ASSISTANCE PROGRAM	
For the purposes of a federally funded grant entitled,	
State Health Insurance Assistance Program	
9110-1094 .....	\$1,097,000
OLDER AMERICANS ACT	
For the purposes of a federally funded grant entitled,	
Older Americans Act	
9110-1173 .....	\$13,383,620

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	NUTRITION SERVICES INCENTIVE PROGRAM For the purposes of a federally funded grant entitled, Nutrition Services Incentive Program	
9110-1174	.....	\$4,885,300
	COMMUNITY SERVICE EMPLOYMENT PROGRAM For the purposes of a federally funded grant entitled, Community Service Employment Program	
9110-1178	.....	\$1,881,340
	MA CHRONIC DISEASE SELF-MANAGEMENT EDUCATION PROGRAM For the purposes of a federally funded grant entitled, MA Chronic Disease Self-Management Education Program	
9110-1190	.....	\$100,714
	ENHANCED ALCOHOL AND DRUG RECOVERY OPTIONS COUNSELING PROGRAM For the purposes of a federally funded grant entitled, Enhanced Alcohol and Drug Recovery Options Counseling Program	
9110-1191	.....	\$198,706
	2013 MIPPA ADRC For the purposes of a federally funded grant entitled, 2013 MIPPA ADRC	
9110-1194	.....	\$79,154
	ALZHEIMER'S DISEASE SUPPORTIVE SERVICE PROGRAM For the purposes of a federally funded grant entitled, Alzheimer's Disease Supportive Service Program	
9110-1197	.....	\$200,000

By inserting after section 24 the following section:

"SECTION 24A. Item 9110-1630 of chapter 46 of the acts of 2015 is hereby amended by adding the following words:— ; provided further, that the executive office of elder affairs shall report, not later than January 1, 2017, to the house and senate committees on ways and means on: (i) enrollment data and any other information relevant to caseload forecasting for items 9110-1630 and 9110-1500 at current levels; (ii) projected utilization of services provided by said items 9110-1630 and 9110-1500 with eligibility expanded to include the individuals whose income does not exceed 275 per cent of the federal poverty level and with eligibility expanded to include the individuals whose income does not exceed 300 per cent of the federal poverty level; (iii) the projected fiscal impact of expanding eligibility to include the individuals whose income does not exceed 275 per cent of the federal poverty level and the individuals whose income does not exceed 300 per cent of the federal poverty level; (iv) program design considerations regarding the application of cost-sharing revenues to best support individuals in an expansion population of up to 300 per cent of the federal poverty level; provided further that the executive office of health and human services may file a state plan amendment for section 1915(i) of the federal Social Security Act to maximize the opportunity for federal financial participation for any future expansion of eligibility for individuals whose incomes exceed current limits.";

By inserting after section 42 the following two sections:

"SECTION 42A. The office of Medicaid within the executive office of health and human services, in consultation with the department of transitional assistance, shall study and report on the feasibility of offer-

ing MassHealth applicants or recipients the opportunity to complete a common application for MassHealth and for programs administered by the department of transitional assistance, including the federal Supplemental Nutrition Assistance Program, the Program for Emergency Aid to Elders, Disabled and Children pursuant to chapter 117A and the Program for Transitional Assistance to Families with Dependent Children pursuant to chapter 118. The report shall be filed with the clerks of the house of representatives and senate, who shall forward the same to the joint committee on health care financing, and the joint committee on children, families and persons with disabilities no later than January 1, 2017.

SECTION 42B. The health policy commission, in consultation with the state's community hospitals, shall develop a marketing campaign to show the high value of community hospitals and the cost and quality benefits to patients and employers of seeking care in local settings. The commission shall direct not more than \$500,000 from the distressed hospital trust fund, established under section 2GGGG of chapter 29 of the General Laws, to fund the development and implementation of the marketing campaign."

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Ms. Garlick of Needham; and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 239 in Supplement.]

Therefore the consolidated amendments (health and human services and elder affairs) were adopted.

Consolidated amendments adopted,—yea and nay No. 239.

Recess.

At half past eight o'clock P.M. (Tuesday, April 26), on motion of Mrs. Haddad of Somerset (Mr. Donato of Medford being in the Chair), the House recessed until the following day ten o'clock A.M.; and at three minutes after ten o'clock the House was called to order with Mr. Donato in the Chair.

Recess.

Wednesday, April 27, 2016 (at 10:03 o'clock A.M.).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

Statement of Representative Gordon of Bedford.

A statement of Mr. Gordon of Bedford was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will be unable to be present in the House Chamber for the remainder of today's sitting due to a previously scheduled commitment to appear on a panel with the United States Labor Secretary, Thomas Perez, and Massachusetts Attorney General, Maura Healey, at TAMR, Inc., in Harvard Square in Cambridge. If I were able to be present, I would vote in the affirmative on the adoption of the consolidated amendments on Labor and Workforce Development to the budget and

Statement of Mr. Gordon of Bedford.

on passing said budget to be engrossed. Any roll calls that I miss for the remainder of today's session is due entirely to the reason stated.

*Statement of Representative Scibak of Amherst.*

A statement of Mr. Scibak of Amherst was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I will be unable to be present in the House Chamber for the remainder of today's sitting due to a previously scheduled commitment to appear on a panel with the United States Labor Secretary, Thomas Perez, and Massachusetts Attorney General, Maura Healey, at TAMR, Inc., in Harvard Square in Cambridge. If I were able to be present, I would vote in the affirmative on the adoption of the consolidated amendments on Labor and Workforce Development to the budget and on passing said budget to be engrossed. Any roll calls that I miss for the remainder of today's session is due entirely to the reason stated.

*Guests of the House.*

During the session, Mr. Lawn of Watertown took the Chair, declared a brief recess, and introduced the 2015 Watertown High School Girls Field Hockey Team. The team set the national record with 160 consecutive games without a loss. They were the guests of Representative Lawn.

*Engrossed Bills.*

Engrossed bills  
Authorizing the town of Milton to issue an additional license for the sale of all alcoholic beverages to be drunk on the premises of a certain restaurant (see Senate, No. 2051, amended) (which originated in the Senate); and

Relative to home improvement contractor registration (see House, No. 4022, amended) (which originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted; and they were signed by the acting Speaker and sent to the Senate.

*Recess.*

At sixteen minutes after ten o'clock A.M. (Wednesday, April 27), on motion of Mr. Ultrino of Malden (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-seven after twelve o'clock noon the House was called to order with Mr. Donato in the Chair.

*Orders of the Day.*

The House Bill relative to kayak safety (House, No. 2180), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. O'Day of West Boylston; and it was passed to be engrossed. Sent to the Senate for concurrence.

Statement of Mr. Scibak of Amherst.

Watertown,—field hockey team.

Bills enacted.

Recess.

Third reading bill.

The House Bill authorizing the city of Medford to use certain land for any municipal purpose (House, No. 3986), was read a third time.

Third reading bill amended.

The committee on Bills in the Third Reading reported recommending that the bill be amended by substitution of a bill with the same title (House, No. 4246), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interests, sinking fund and serial bond requirements and for certain permanent improvements (House, No. 4200, amended), was considered.

General Appropriation Bill.

Pending the question on passing the bill, as amended, to be engrossed Mr. Kocot of Northampton moved to amend it by adding the following section:

"SECTION 73. Chapter 40 of the General Laws, as appearing in the 2008 Official Edition, is hereby amended by adding after section 13C the following section: Section 13D. Any school district which accepts the provisions of this section by majority vote of the school committee and acceptance by a majority vote of the legislative body or, in the case of a regional school district acceptance by majority vote of the legislative bodies in a majority of the member communities of the district may establish, and appropriate or transfer money to a reserve fund to be utilized in the upcoming fiscal year or years, to pay, without further appropriation, for unanticipated and/or unbudgeted costs of special education out of school district tuition and/or transportation. The balance in such separate stabilization fund shall not exceed 2% of the annual net school spending of the school district. The district treasurer may invest the monies in the manner authorized by Section 54 of Chapter 44, and any interest earned thereon shall be credited to and become part of the fund. In the case of Regional School Districts, funds may be added to the special education stabilization fund only be appropriation in the annual budget voted at annual town meetings of member towns."

The amendment was adopted.

Mr. Kaufman of Lexington then moved to amend the bill by adding the following section:

"SECTION 74. Chapter 6 of the General Laws is hereby amended by inserting after section 15YYYYY, the following section:—

15ZZZZZ. The governor shall annually issue a proclamation setting aside June twentieth as Facioscapulohumeral Muscular Dystrophy (FSD) Day, to raise public awareness of FSD and recommend that the day be observed in an appropriate manner by the people."

The amendment was adopted.

Mr. Stanley of Waltham then moved to amend the bill by adding the following section:

"SECTION 75. Bridge No. W-04-25 on Winter Street spanning interstate Route 128, also know as the Technology Highway, and adjacent to Prospect Hill Executive Park in the City of Waltham shall be designated and known as the Arthur H. Nelson Memorial Bridge, in memory of

General Appropriation Bill.

Arthur H. Nelson, in recognition of his many entrepreneurial and philanthropic contributions to the City of Waltham and the Commonwealth of Massachusetts. The Massachusetts Department of Transportation shall erect and maintain a suitable marker on the bridge bearing the designation in compliance with the standards of the department".

The amendment was adopted.

After remarks, Mr. Lyons of Andover moved to amend it by inserting after item 8000-0600 the following new item:

"8000-XXXX For the executive office of public safety to establish a drug strike force meant to augment local law enforcement entities so they may receive the proper training, equipment, and personnel required to effectively combat drug trafficking ..... \$25,000,000".

The amendment was rejected. Subsequently, the same member moved that this vote be reconsidered.

Quorum.

After remarks on the motion to reconsider, Mr. Lyons asked for a count of the House to ascertain if a quorum was present. A count showed that 59 members were in attendance; and inasmuch as a quorum was not present, the Chair (Mr. Donato of Medford) directed the Sergeant-at-Arms to secure the presence of a quorum.

Quorum,— yea and nay No. 240.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 150 members were recorded as being in attendance.

[See Yea and Nay No. 240 in Supplement.]

Therefore a quorum was present.

Subsequently a statement of Mr. González of Springfield was spread upon the records of the House, as follows:

Statement of Mr. González of Springfield.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official business in another part of the State House, and therefore I was not recorded as being in attendance.

After remarks the motion to reconsider was negatived.

Mr. Lyons of Andover and other members of the House then moved to amend the bill in section 2, in item 8100-1001, by striking out the figures "285,816,142" and inserting in place thereof the figures "286,616,142"; and the amendment was rejected.

The same members then moved to amend the bill in section 2 by inserting after item 8100-0111 the following item:

"8100-0515 For the expense of hiring, equipping and training 150 state police recruits to maintain the strength of the department of state police..... \$5,850,000".

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following section:

"SECTION 76. Section 178Q of chapter 6 of the General Laws is hereby amended by inserting at the end thereof, the following:— The sex offender registry board shall, within 60 days of initial sex offender registration and annual sex offender registration, report to the department of revenue, the department of transitional assistance and the registry of motor vehicles the amount of any sex offender registration fee

owed by the sex offender. The department of revenue shall intercept payment of such fee from tax refunds due to persons who owe all or a portion of such fee. The registry of motor vehicles shall not issue or renew a person's driver's license or motor vehicle registration for any vehicle subsequently purchased by such person until it receives notification from the sex offender registry board that the fee has been collected."

The amendment was adopted.

Mr. Hill of Ipswich and other members of the House then moved to amend the bill in by adding the following two sections:

"SECTION 77. Section 14 of Chapter 463 of the Acts of 2004 is hereby amended by inserting the following after the word 'act':—

'Commencing on July 1, 2016, and on July first of each year thereafter, the district shall annually reimburse the Essex Regional Retirement System the amounts required, as determined and certified by the actuary employed by the Public Employee Retirement Administration Commission, for the Pension Fund, the special fund for military service credit and the expense fund described in subdivision (8)(c) of section 3 and subdivisions (3), (4), (5) and (8) of section 22 of chapter 32 of the General Laws, as so appearing, for the liability attributable to the former Essex Independent Agricultural and Technical Institute as of June 30, 2014. For the purpose of this paragraph, the amounts required as herein defined shall be considered the district's appropriation to the Essex Regional Retirement System. The district's annual appropriation to the Essex Regional Retirement System shall be apportioned to the member municipalities as described in Section 10 of this act.'

SECTION 78. Chapter 463 of the Acts of 2004 is further hereby amended by inserting after Section 14 the following new section:—

Section 14A. If any member municipality fails to include an amount so certified in its budget for such fiscal year, the assessors or other taxing authorities shall nevertheless include such amounts in the next tax levy. All amounts so certified pursuant to section 14, as amended, shall be a legal obligation of the district and may be recovered in an action of contract by the Essex Regional Retirement Board."

The amendment was adopted.

Representatives Ferguson of Holden and Zlotnik of Gardner then moved to amend bill by inserting before section 20 the following four sections:

"SECTION 19C. Section 1 of chapter 138 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the definition of 'Farmer-winery' the following definition:—

'Host brewer', any person or entity licensed pursuant to the provisions of sections 19 or 19C to manufacture malt beverages who has entered into an alternating proprietorship arrangement with a tenant brewer approved by the US Department of the Treasury Alcohol and Tobacco Tax Trade Bureau for the purpose of manufacturing or packaging malt beverages on behalf of the tenant brewer.

SECTION 19D. Section 1 of said chapter 138 is hereby further amended by adding after the definition of 'Tavern' the following new definition:—

“Tenant Brewer”, a person or entity that has been licensed pursuant to the provisions of section 19, section 19C or a license holder outside the commonwealth that is authorized to manufacture, export and import malt beverages and has a transportation permit issued pursuant to section 22 who has entered into an alternating proprietorship arrangement with a host brewer approved by the United States Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau for the purpose of manufacturing or packaging malt beverages at a host brewer’s premises.

SECTION 19E. Section 18 of said chapter 138 is hereby amended in the sixth paragraph by striking out, in line 87, the following words ‘and section 19F’ and inserting in place thereof, the following:—, section 19F and section 19G.

SECTION 19F. Said chapter 138 is hereby amended by inserting the following new section:—

Section 19G. Tenant Brewer License.

(a) The commission may issue a tenant brewer license which authorizes the holder thereof to manufacture or package malt beverages on the premises of a host brewer to any individual applicant who is a resident and citizen of the commonwealth and to any corporation, partnership or other entity which complies with the requirements set forth in section 26 and is a holder of a certificate of compliance issued pursuant to section 18B. An applicant for a tenant brewer license shall provide the commission and the department of revenue with a true copy of the applicable alcoholic beverage license to manufacture, export and import as issued by the appropriate licensing authority.

To be eligible for a tenant brewer license, the applicant must (i) be licensed pursuant to the provisions of section 19C or section 19D or is licensed in any other state to manufacture, export and import malt beverages; (ii) comply with any federal law regulating the manufacture, export or import of malt beverages as identified by the commission in written guidance that shall be issued to each host brewer, tenant brewer and wholesaler licensed pursuant to section 18 ; and (iii) must have an approved alternating proprietorship arrangement that allows the applicant to use the facilities, equipment, and employees of a host brewer.

A tenant brewer may import such raw materials as are required solely for the production and packaging of the malt beverage, including without limitation bulk malt beverage produced by the tenant brewer at its brewery of origin. The bulk malt beverage imported by the tenant brewer must be packaged and shipped back to the tenant brewer’s brewery of origin or to a wholesaler licensed pursuant to section 18 or to a license holder outside the commonwealth authorized to import malt beverages designated by the tenant brewer within 10 days of receipt by the host brewer.

Any product produced or packaged at the host brewer’s premises must be removed from the host brewer’s premises within 10 days after the brewing or packaging process is completed. The finished product must be returned to the tenant brewer’s brewery of origin or to a wholesaler licensed pursuant to section 18 or to a license holder outside the commonwealth authorized to import malt beverages designated by the tenant brewer.

(b) The commission shall require a tenant brewer and a host brewer to maintain a record or log indicating which equipment is being used at any time by the tenant brewer in the production or packaging of malt beverages and which employees are working on production or packaging of the tenant brewer’s product. A tenant brewer shall be subject to the same reporting requirements as the host brewer.

A tenant brewer license issued pursuant to this section does not grant the licensee any right to sell malt beverages in the commonwealth to any person or entity except to a wholesaler licensed pursuant to section 18. A tenant brewer licensee shall only be permitted to manufacture or package malt beverages as set forth in this section.

(c) The annual fee for each license issued under this section shall be \$1,000.

(d) For the purposes of this section, the term ‘package’ shall mean a keg, cask, barrel, bottle, can or other package approved by the United States Department of the Treasury Alcohol and Tobacco Tax and Trade Bureau for malt beverages. For the purposes of this section, the term ‘brewery of origin’ shall mean any brewery at which the tenant brewer is duly licensed to manufacture malt beverages other than at the host brewer’s premises.; and

By inserting after section 30 the following section:—

SECTION 30A. The department of revenue shall promulgate rules and regulations for the collection of the excise as it applies to licensees issued pursuant to section 19G of chapter 138 of the General Laws.”.

The amendments were adopted.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2, in item 0321-2100, by striking out the figures “1,374,683” and inserting in place thereof the figures “1,472,466”;

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and  
judiciary).

In item 0321-2205 by striking out the figures “1,781,200” and inserting in place thereof the figures “1,831,200”;

In item 0332-0100, in line 7, by inserting after the word “court” the following: “; provided further, that not less than \$100,000 shall be expended for capital improvements at Hingham District Court; and provided further, that not less than \$100,000 shall be expended for the Hampden County Court House Advocacy Committee”, and in said item by striking out the figures “65,854,290” and inserting in place thereof the figures “66,054,290”;

In item 0337-0002, by adding the following: “; provided, that no less than \$143,989 shall be expended on the Hampden County CASA program, no less than \$71,994 shall be expended on the Worcester County CASA program, no less than \$98,730 shall be expended on the Essex County CASA program, no less than \$100,000 shall be expended on the Boston CASA program, no less than \$76,494 shall be expended on the Franklin/Hampshire County CASA program, and no less than \$53,995 shall be expended on the Berkshire County CASA program”, and in said item by striking out the figures “18,346,069” and inserting in place thereof the figures “18,891,271”;

By inserting after item 0340-2117 the following item:

“0340-6653 For increases in the annual salaries of assistant district attorneys; provided, that the Massachusetts District Attorneys Association shall transfer

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funds to the AA object class in each of the 11 district attorneys' offices so that the resulting minimum annual salary for an assistant district attorney shall exceed \$45,000 per year; provided further, that these salary increases shall not take effect until January 1, 2017; provided further, that not less than 30 days prior to the distribution of funds, the Massachusetts District Attorneys' Association shall notify the house and senate committees on ways and means detailing: (a) the methodology used to determine the amount to be dispersed; (b) the amount to be given to each district attorney's office; (c) the reasoning behind the distribution; and (d) the number of assistant district attorneys from each office who would receive funds from this item; and provided further, that no funds from this item shall be expended on the administrative costs of the Massachusetts District Attorneys Association ..... \$500,000";

In item 8000-0600 by adding the following: "; provided, that not less than \$50,000 shall be expended to the town of Watertown for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Waltham for public safety improvements; provided further, that not less than \$26,900 shall be expended to the town of Hopedale for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Saugus for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Wakefield for public safety improvements; provided further, that not less than \$20,000 shall be expended to the town of Salisbury for public safety improvements; provided further, that not less than \$200,000 shall be expended for the Black Men of Greater Springfield, Inc.; provided further, that not less than \$25,000 shall be expended to the town of Hardwick for public safety improvements, provided further, that not less than \$50,000 shall be expended to the town of Littleton for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Plainville for public safety improvements; provided further, that not less than \$25,000 shall be expended to the Grafton Public School District for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Northbridge for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Sudbury for public safety improvements; provided further, that not less than \$100,000 shall be expended for the Merrimack Valley Youth Center in the City of Lawrence; provided further, that not less than \$30,000 shall be expended to the Eastham Police Department for public safety improvements; provided further, that not less than \$25,000 shall be expended to the town of Oxford for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Pembroke for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Braintree for public safety improvements; provided further, that not less than \$100,000 shall be expended to the town of Dracut for public safety improve-

ments; provided further, that not less than \$30,000 shall be expended to the Opioid Community Coalition of Falmouth; provided further, that not less than \$50,000 shall be expended to the city of Springfield for public safety improvements; provided further, that not less than \$25,000 shall be expended to the city of Fitchburg for public safety improvements; provided further, that not less than \$50,000 shall be expended to the city of Methuen for a public safety study; provided further, that not less than \$25,000 shall be expended to the town of Mendon for public safety improvements; provided further, that not less than \$150,000 shall be expended to the town of Dartmouth for public safety improvements; provided further, that not less than \$50,000 shall be expended to the town of Milton for public safety improvements; and provided further, that not less than \$50,000 shall be expended to the town of Randolph for public safety improvements", and in said item by striking out the figures "2,304,906" and inserting in place thereof the figures "3,761,806";

In item 8100-0111 by striking out the figures "5,000,000" and inserting in place thereof the figures "6,000,000";

In item 8100-1001, in line 17, by inserting after the word "abuse" the following: "; provided further, that not less than \$1,030,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that not less than \$30,000 shall be expended for Troop A to conduct mounted, directed patrols throughout Revere Beach, the Lynfells and the Middlesex Fells Reservation Park among other identified areas; provided further, that subject to appropriation communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2017; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$90,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in the city of Quincy", and in said item by striking out the figures "285,816,142" and inserting in place thereof the figures "286,936,142";

In item 8200-0200, by adding the following "; and provided further, that no less than \$50,000 be provided for towns in Worcester County hosting municipal police training academies", and in said item by striking out the figures "4,887,750" and inserting in place thereof the figures "4,937,750";

By striking out item 8324-0000 and inserting in place thereof the following item:

"8324-0000 For the administration of the department of fire services, including the state fire marshal's office, the hazardous materials emergency response program, the board of fire prevention regulations established in section 4 of chapter 22D of the General Laws, the expenses of the fire safety commission and the Massachusetts firefighting academy, including the Massachusetts fire training council certification program, municipal and non-municipal fire training and expenses of the council; provided, that the fire training program shall use the split days option; provided further,

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that \$1,200,000 shall be allocated by the department for the Student Awareness of Fire Education program; provided further, that \$100,000 shall be allocated by the department for the Fire Chiefs Association of Bristol County to develop, upgrade and maintain the emergency radio communications system in Bristol County and to provide equipment and training support to the Regional Technical Rescue team in Bristol County; provided further, that \$100,000 shall be allocated by the department for the Fire Chiefs Association of Barnstable County to provide equipment and training support at the Barnstable County Fire and Rescue Training Academy; provided further, that the amount allocated for critical incident stress intervention programs in item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2017; provided further, that \$200,000 shall be allocated to On-Site Academy to provide training and treatment programs for emergency personnel for critical incident stress management or substance abuse; provided further, that \$50,000 shall be provided for the city of Quincy fire department hazardous materials response team; provided further, that the amount allocated for hazardous material response teams in said item 8324-0000 of section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2017 and shall not be reduced by more than 57 per cent; provided further the Boston Fire Department Training Academy shall also be allocated an additional \$500,000 in addition to any amounts in the item; provided further, that not less than \$15,000 shall be expended to the Stoneham Fire Department for safety equipment; provided further, that not less than \$104,0000 shall be expended to the Needham Fire Department for safety equipment; provided further, that not less than \$10,000 shall be expended to the Plainville Fire Department for safety equipment; provided further, that not less than \$4,600 shall be expended to the Chelsea Fire Investigation Unit for safety equipment; provided further, that not less than \$65,000 shall be expended to the Franklin Fire Department for safety equipment; provided further, that the amount allocated for the Norfolk County Regional Fire and Rescue Dispatch Center in item 8324-0000 of Section 2 of chapter 182 of the acts of 2008 shall be allocated in fiscal year 2017; provided further, that \$50,000 shall be allocated to the On-Site Academy to provide training and treatment programs for correction officers from the department of correction for critical incident stress management; provided further, that 100 per cent of the amount appropriated in this item for the administration of the department of fire services, the state fire marshal's office, critical incident stress pro-

grams, On-Site Academy, the Massachusetts training academies, the regional dispatch centers, the radio and dispatch center improvements, and the associated fringe benefit costs of personnel paid from this item for these purposes shall be assessed upon insurance companies writing fire, homeowners' multiple peril or commercial multiple peril policies on property situated in the Commonwealth and paid within 30 days after receipt of notice of such assessment from the commissioner of insurance; provided further, that 100 per cent of the amount appropriated in this item for hazardous material response shall be assessed upon insurance companies writing commercial multiple peril, nonliability portion policies situated in the Commonwealth and commercial auto liability policies as referenced in line 5.1 and line 19.4, respectively, in the most recent annual statement on file with the commissioner of insurance; and provided further, that not more than 10 per cent of the amount designated for the arson prevention program shall be expended for the administrative costs of the program ..... \$23,898,381";

In item 8700-0001, in line 6, by inserting after the word "grades" the following: "; provided further, that no less than \$50,000 shall be expended for the Massachusetts Veterans Oral History Project to be conducted by the non-profit corporation Home of the Brave, Inc. in conjunction with the Massachusetts National Guard Museum"; and in said item by striking out figures "9,862,787" and inserting in place thereof the figures "9,912,787";

In item 8900-0001, in line 7, by inserting after the word "department" the following: "; provided further, that the amount allocated for programs for incarcerated mothers in item 8900-0001 of section 2 of chapter 131 of the acts of 2010 shall be allocated to the program in fiscal year 2017; provided further, that the department shall expend not less than \$2,200,000 for municipalities hosting department of corrections facilities; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive more than \$800,000; provided further, that of that \$2,200,000, no municipality hosting a department of corrections facility shall receive less than the amount allocated in item 8900-0001 of section 2 of chapter 60 of the acts of 2011; provided further, that the amount allocated for the Dismas House in Worcester in item 8900-0001 of section 2 of chapter 182 of the acts of 2008 shall be expended for the program in fiscal year 2017; provided further, no less than \$68,000 shall be expended for Dispute Resolutions Services, Inc. of Springfield"; and in said item by striking out the figures "569,138,538" and inserting in place thereof the figures "571,706,538";

In item 8910-0108 by adding the following: "; provided, that not less than \$200,000 shall be expended for the Franklin County Opioid Education and Awareness Task Force"; and in said item by striking out the figures "15,049,298" and inserting in place thereof the figures "15,249,298";

By inserting after section 6 the following section:

“SECTION 6G. Section 58 of chapter 30 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the word ‘custody,’ in line 19, the following words:— or in the case of a court officer, receives bodily injuries resulting from acts of violence in the courtroom or public areas, holding areas and other designated areas of the courthouse or from subduing or apprehending escaping prisoners.”;

By inserting after section 20 the following section:

“SECTION 20A. Section 57 of chapter 146 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 16, the word ‘ninety’ and inserting in place thereof the following word:— 60.”;

By inserting after section 21 the following section:

“SECTION 21A. Section 2 of chapter 263A of the General Laws, as so appearing, is hereby amended by inserting, in line 11, after the word ‘services’, the following words:— . The board shall provide administration and approval of funding for witness protection education and awareness programs.”;

By inserting after section 27 the following two sections:

“SECTION 27A. Notwithstanding section 11 of chapter 211D of the General Laws, for fiscal year 2017, the chief counsel of the committee for public counsel services may waive the annual cap on billable hours for private counsel appointed or assigned to cases undertaken by the children and family law program established by the committee, if the chief counsel finds that: (i) there is limited availability of qualified counsel in that practice area; (ii) requirements for expertise rendering assignment to certain private counsel would be more cost effective; or (iii) demonstrated efficiency of private counsel shows that shifting the service to other counsel shall reduce the quality and increase the cost of service; provided, however, that counsel appointed or assigned to such cases within the private counsel division shall not be paid for any time billed in excess of 1,800 billable hours. It shall be the responsibility of private counsel to manage their billable hours.

SECTION 27B. There shall be established a special commission on elevator inspection safety.

The commission shall consist of the following: two members of the house of representatives, one of whom shall be appointed by the speaker of the house, and one of whom shall be appointed by the minority leader; two members of the senate, one of whom shall be appointed by the president of the senate, and one of whom shall be appointed by the minority leader; the secretary of the executive office of public safety and security, or a designee; the commissioner of the department of public safety, or a designee; two members from the board of elevator regulations; and two members from charitable organizations that own and operate elevators. The commission shall investigate and study the current laws, regulations, rules and policies related to elevator inspections, including the fees and fines associated therewith, as well as the inspection schedules, and shall also investigate whether and how charitable organizations are affected by such laws, regulations, rules, policies, fines and fees. The commission shall report its findings, including any legislative recommendations, to the

house and senate committees on ways and means, the joint committee on public safety, and the department of public safety no later than December 31, 2016.”.

On the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 159 members voted in the affirmative and 0 in the negative.

**[See Yeas and Nays No. 241 in Supplement.]**

Therefore the consolidated amendments (public safety and judiciary) were adopted.

Ms. DiZoglio of Methuen then moved to amend the bill by inserting after section 28 the following section:

“SECTION 28A. Notwithstanding any general or special law to the contrary, any member of the Professional Fire Fighters of Massachusetts may solicit donations to any charitable organization registered with the division of public charities in the department of the attorney general while that member is on duty as a fire fighter and in uniform; provided, that no member shall solicit donations during the course of responding to a call for assistance or otherwise actively engaged in a fire-fighting activity.”.

The amendment was adopted.

Mr. Madden of Nantucket then moved to amend the bill by adding the following section:

“SECTION 79. (a) Notwithstanding any general or special law to the contrary, including section 14 of chapter 34 of the General Laws, but subject to subsections (a), (b) and (g) of section 16 of chapter 30B of the General Laws, the county commissioners of the county of Dukes County may lease space in a building acquired by the county pursuant to section 112 of chapter 287 of the Acts of 2014, to the Martha’s Vineyard Center for Living, Inc., a non-profit corporation, or its designee or affiliate, for an initial term not to exceed 30 years, for the purpose of the Martha’s Vineyard Center for Living, Inc. conducting health and social services for the benefit of residents of the county or visitors thereto, including but not limited to a Supportive Day Program, so called, for seniors, a medical taxi program for seniors, food and meals programs for seniors, and outreach and referral programs for seniors. The lease may provide that the Martha’s Vineyard Center for Living, Inc. may, on terms acceptable to the county commissioners, design, construct or build-out the leased premises. The lease shall provide that the costs of the improvements to the leased premises by the Martha’s Vineyard Center for Living, Inc. shall be taken into account as part of the consideration for such lease. The lease shall include provisions to ensure community accessibility, in a manner consistent with the corporate and charitable purposes of the Martha’s Vineyard Center for Living, Inc.

(b) If the premises leased during the term of the lease authorized in section 1 are ever used for any purpose other than the purposes listed in section 1 or as listed in the terms of the lease that is ultimately negotiated by the county commissioners of Dukes County, then the authorization to lease space in the building to the Martha’s Vineyard Center for Living, Inc. granted by this act shall immediately become null and void.

(c) Notwithstanding any general or special law to the contrary, the design and construction of any such improvements shall be exempt from sections 44 to 58, inclusive, of chapter 7C of the General Laws, section 39M of chapter 30 of the General Laws, sections 44A to 44M, inclusive, of chapter 149 of the General Laws, and chapter 149A of the General Laws; provided, however that any construction or improvements by the Martha's Vineyard Center for Living, Inc. to the common areas of the building or areas exclusive of the tenant's space, as designated in the lease, shall be subject to sections 26 to 27H, inclusive of said chapter 149."

The amendment was adopted.

Mr. Linsky of Natick then moved to amend the bill by adding following nine sections:

"SECTION 80. Chapter 175 of the General Laws is hereby amended by inserting after section 47DD, the following section:

Section 47EE. (A) For the purposes of this Section, the terms 'Lyme disease' and 'long-term antibiotic therapy' are given the same definition as provided in M.G.L. Chapter 112, Section 12DD.

(B) Any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides medical expense coverage shall provide coverage for long-term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient's symptoms, diagnostic test results, or response to treatment. Long-term antibiotic therapy otherwise eligible for benefits pursuant to this section shall not be denied solely because such treatment may be characterized as unproven, experimental, or investigational in nature.

SECTION 81. Chapter 176A of the General Laws is hereby amended by inserting after section 8FF the following section:—

Section 8GG. Any contract between a subscriber and the corporation under an individual or group hospital service plan which is delivered, issued or renewed within the commonwealth shall provide coverage for long-term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient's symptoms, diagnostic test results or response to treatment.

Treatment otherwise eligible for benefits pursuant to this section shall not be denied solely because such treatment may be characterized as unproven, experimental, or investigational in nature.

SECTION 82. Chapter 176B of the General Laws is hereby amended by inserting after section 4FF, the following section:—

Section 4GG. Any subscription certificate under an individual or group medical service agreement delivered, issued, or renewed within the commonwealth shall provide coverage for long-term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient's symptoms, diagnostic test results or response to treatment. Treatment otherwise eligible for benefits pursuant to this section shall not be denied solely because such treatment may be characterized as unproven, experimental, or investigational in nature.

SECTION 83. Chapter 176G of the General Laws is hereby amended by inserting after section 4X the following section:—

Section 4Y. Any individual or group health maintenance contract shall provide coverage for long-term antibiotic therapy of Lyme disease when determined to be medically necessary and ordered by a licensed physician after making a thorough evaluation of the patient's symptoms, diagnostic test results or response to treatment. Treatment otherwise eligible for benefits pursuant to this section shall not be denied solely because such treatment may be characterized as unproven, experimental, or investigational in nature.

SECTION 84. Section 47EE of chapter 175 of the General Laws is hereby repealed.

SECTION 85. Section 8GG of chapter 176A of the General Laws is hereby repealed.

SECTION 86. Section 4GG of chapter 176B of the General Laws is hereby repealed.

SECTION 87. Section 4Y of chapter 176G of the General Laws is hereby repealed.

SECTION 88. Sections 84 through 87 shall take effect on July 1, 2021."

The amendment was adopted.

Mr. Cantwell of Marshfield and other members of the House then moved to amend the bill by adding the following section:

"SECTION 89. Chapter 176D of the General Laws is hereby amended by inserting after section 3B the following section:—

Section 3C. (a) As used in this section, the following words shall have the following meanings, unless the context clearly requires otherwise:—

'Ambulance service provider', a person or entity licensed by the department of public health pursuant to section 6 of chapter 111C to establish or maintain an ambulance service.

'Emergency ambulance services', emergency services that an ambulance service provider may render under its ambulance service license when a condition or situation in which an individual has a need for immediate medical attention or if the individual, bystander or emergency medical services provider perceives the potential for the need for immediate medical attention.

'Insurance policy' and 'insurance contract', any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth that provides coverage for expenses incurred by an insured for transportation services rendered by an ambulance service provider.

'Insured', an individual entitled to ambulance services benefits pursuant to an insurance policy or insurance contract.

'Insurer', a person as defined in section 1 of chapter 176D; any health maintenance organization as defined in section 1 of chapter 176G; a non-profit hospital service corporation organized under chapter 176A; any organization as defined in section 1 of chapter 176I that participates in a preferred provider arrangement also as defined in said section 1 of said chapter 176I; any carrier offering a small group health insurance plan under chapter 176J; any company as defined in section 1 chapter 175; any employee benefit trust; any self-insurance

plan, and any company certified under section 34A of chapter 90 and authorized to issue a policy of motor vehicle liability insurance under section 113A of chapter 175 that provides insurance for the expense of medical coverage.

(b) In any instance in which an ambulance service provider provides an emergency ambulance service to an insured, but is not an ambulance service provider under contract to the insurer maintaining or providing the insured's insurance policy or insurance contract, the insurer maintaining or providing such insurance policy or insurance contract shall pay the ambulance service provider directly and promptly for the emergency ambulance service rendered to the insured. Such payment shall be made to the ambulance service provider notwithstanding that the insured's insurance policy or insurance contract contains a prohibition against the insured assigning benefits thereunder so long as the insured executes an assignment of benefits to the ambulance service provider and such payment shall be made to the ambulance service provider in the event an insured is either incapable or unable as a practical matter to execute an assignment of benefits under an insurance policy or insurance contract pursuant to which an assignment of benefits is not prohibited, or in connection with an insurance policy or insurance contract that contains a prohibition against any such assignment of benefits. An ambulance service provider shall not be considered to have been paid for an emergency ambulance service rendered to an insured if the insurer makes payment for the emergency ambulance service to the insured. An ambulance service provider shall have a right of action against an insurer that fails to make a payment to it pursuant to this subsection.

(c) With the exception of non-profit corporations licensed to operate critical care ambulance services that perform both ground and air transports, payment to an ambulance service provider under subsection (b) shall be at a rate equal to the rate established by the municipality from where the patient was transported.

(d) An ambulance service provider receiving payment for an ambulance service in accordance with subsections (b) and (c) shall be deemed to have been paid in full for the ambulance service provided to the insured, and shall have no further right or recourse to further bill the insured for said ambulance service with the exception of coinsurance, co-payments or deductibles for which the insured is responsible under the insured's insurance policy or insurance contract.

(e) No term or provision of this section 3C shall be construed as limiting or adversely affecting an insured's right to receive benefits under any insurance policy or insurance contract providing insurance coverage for ambulance services. No term or provision of this section 3C shall create an entitlement on behalf of an insured to coverage for ambulance services if the insured's insurance policy or insurance contract provides no coverage for ambulance services."

The amendment was adopted.

Mrs. Haddad of Somerset moves to amend the bill by inserting after section 33 the following section:

"SECTION 33A. (a) Notwithstanding any general law or special law to the contrary, the department of energy resources shall expend an amount not to exceed \$3,000,000 from the RGGI Auction Trust Fund

established in section 35II of chapter 10 of the General Laws for a 1-time reimbursement to a municipality that has been negatively impacted by a reduction in property tax receipts from a dual coal and oil fired electric generating station due to a reduction in capacity factor, occurring after July 1, 2012. The municipality shall be entitled to reimbursement under this section of an amount by which the tax receipts, including payments in lieu of taxes or other compensation, paid by the affected property owner of the electric generating station in tax year 2013 is less than the amount of the tax receipts paid by the electric generating station in 2012. Payments from the fund shall be prioritized so that the first payments from the fund shall be made to municipalities under this section."

The amendment was adopted.

Mr. Lyons of Andover then moved to amend the bill by adding the following section:

"SECTION 90. (a) Notwithstanding any general or special law to the contrary, the executive office of administration and finance shall prepare a report on the following: 1) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States who are residents of the Commonwealth of Massachusetts; 2) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of persons holding Green Cards who are residents of the Commonwealth of Massachusetts; 3) the total amount of the state budget that is being used to fund individual, family, and other benefits or expenditures on behalf of citizens of the United States whose residence in the Commonwealth of Massachusetts cannot be established; and 4) the total amount of the state budget that is being used to fund individual, family, and other benefits and expenditures on behalf of all other persons. (b) Said report shall also itemize expenditures used to provide services to residents of the Commonwealth, non-residents, and those whose residence cannot be identified with respect to: legal services, including but not limited to criminal defense costs; translations and translator services; the detention of prisoners; and the Health Safety Net program, including cost to government, cost shifting to other payers or insurers, and the cost to hospitals, clinics, and other health-care providers. (c) In calculating the amounts described in subsections (a) and (b), the executive office of administration and finance shall utilize generally accepted accounting principles encompassing all state spending. (d) Said report shall be filed with the chair and ranking minority member of the house committee on ways and means, the chair and ranking minority member of the senate committee on ways and means, and the clerks of the house of representatives and senate no later than October 15, 2016."

The amendment was rejected.

Mr. Jones of North Reading and other members of the House then moved to amend the bill by adding the following ten sections:

"SECTION 90. Section 1 of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the definition of 'Killed in action', the following definition:—

'Lawful status' shall have the same meaning as defined in 6 CFR §37.3.

'Lawful presence' in the United States shall mean persons who have (1) 'lawful status' and or (2) such other persons as provide documentation of lawful presence in the United States satisfactory to the registrar, in consultation with the Department of Homeland Security.

SECTION 91. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of 'Police officer' or 'officer', the following 2 definitions:—

'REAL ID Act', the REAL ID Act of 2005, as codified at 49 U.S.C. Section 30301.

'REAL ID-compliant license or identification card', a license or identification card issued in compliance with the standards established by the U.S. Department of Homeland Security at 6 CFR Part 37.

SECTION 92. Section 2 of said chapter 90, as so appearing, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence:— Except as otherwise provided in this chapter, no registration shall be issued to a natural person for a motor vehicle or trailer unless such person holds a license, identification card issued under section 8E, social security number issued by Social Security Administration or proof of lawful status as defined in 6 CFR §37.3 and section 1 of this chapter; provided, however, that the registrar shall provide by regulation for certain exemptions from these registration requirements, as applicable, for non-resident out-of-state students, certain military personnel, senior citizens and disabled persons; provided, further, that the registrar may provide by regulation additional exemptions which shall be consistent with this section.

SECTION 93. Section 8 of said chapter 90, as so appearing, is hereby amended by striking out the last 4 paragraphs and inserting in place thereof the following 7 paragraphs:—

A license or any renewal thereof issued to an operator shall be valid from the date of issuance and shall expire on a date to be determined by the registrar which may not be more than 60 months from the date of issue, provided that the registrar may authorize a 1-year extension of the period of license validity for a licensee who has undergone medical treatment for an illness resulting in temporary changes to the physical characteristics of the applicant that would be apparent in an image captured by the registrar, as authorized by chapter 432 of the acts of 2014. The license issued to an operator born on February 29 shall, for the purpose of this section, expire on March 1. An applicant for the renewal of a license 75 years of age or older shall apply for a renewal in person at a registry branch office.

Applications for licenses shall be in such form as may be prescribed by the registrar and shall be signed by the applicant under oath. Only a resident of Massachusetts is eligible to apply for a driver's license issued by the registrar. If the applicant is under age 18, the application shall be accompanied by the written consent, in such form as the registrar shall determine, of a parent or guardian or other person standing in place of a parent of the applicant. The photograph or facial image of the applicant required to be made a part of any license issued by this section shall be retained for the period required by regulations of the registrar even if a driver's license is not issued.

The registrar may issue more than one type of license, in such form and type as may be prescribed by the registrar. The registrar shall issue

one type of license that is compliant with the provisions of the REAL ID Act. An applicant for such license shall provide documentation and demonstrate qualifications acceptable to the registrar. Massachusetts REAL ID-compliant licenses shall be suitable for federal identification purposes and shall be so marked. The registrar may also issue a Massachusetts license to an applicant who provides documentation and demonstrates qualifications acceptable to the registrar. A Massachusetts license may not be used for federal identification purposes and shall be so marked.

No license of any type may be issued to a person who does not have lawful status in the United States; provided, however, that licenses that exist as of the effective date of this paragraph may be renewed as Massachusetts licenses without the license holder providing proof of lawful status or the expiration date of an authorized stay.

The registrar may issue a license of any type for a term of less than 60 months to a resident of Massachusetts who has lawful status in the United States for a period of at least 12 months, provided that the expiration date of such a license shall be coterminous with the expiration date of the licensee's authorized stay in the United States, as evidenced by acceptable documents or information provided to the registrar. If said licensee is authorized to stay in the United States for at least 12 months but lacks acceptable evidence of a specific date by which such stay in the United States shall be terminated, any license issued shall expire not later than 12 months from the date of issue. No license of less than 60 months in duration can be renewed unless the license holder provides documentation satisfactory to the registrar that he or she is authorized to remain in the United States. Any such license shall have an expiration date coterminous with the expiration of the authorized stay. All licenses issued for less than 60 months in duration shall be marked as temporary.

An applicant for a license under this section shall be required to answer questions on the examination to determine the applicant's knowledge of the laws regarding operating a motor vehicle while under the influence of alcoholic beverages or drugs or while sending or receiving electronic messages, and including the relevant sections of this chapter, chapter 94C and chapter 138. The registrar shall determine the nature and number of such questions.

An applicant for a license or renewal thereof appearing in person at a registry branch shall take and pass a vision test administered by the registry; provided, however, that except as required by the registrar in regulations, an applicant may provide a vision screening certificate, signed by an optometrist or ophthalmologist to demonstrate compliance with minimum visual standards to obtain and hold a license. Such vision screening certificate shall not be deemed invalid by the registrar solely because it contains an electronic signature.

SECTION 94. Section 8B of said chapter 90, as so appearing, is hereby amended by inserting in line 42, after the word, 'occurs,' the following words:— , except that no permit shall be issued to an applicant for a period of time longer than the registrar determines the applicant is legally authorized to remain in the United States.

SECTION 95. Said section 8B of said chapter 90, as so appearing, is hereby further amended by striking out the last sentence and insert-

ing in place thereof the following sentence:— Notwithstanding that a learner's permit may be valid for a period of up to 2 years, each holder issued a learner's permit with a period of validity of 2 years may take not more than 6 driving tests within the first year and not more than 6 driving tests within the second year and if the registrar has issued a learner's permit of less than 2 years duration, the permit holder shall be limited to no more than 6 driving tests in the first year and no more than 1 driving test for each 2 months of remaining validity of the permit, upon payment of the fee for examination of an applicant for an operator's license as required in said section 33, for each such driving test.

SECTION 96. Section 8E of said chapter 90, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Any person 14 years of age or older who does not have a valid license to operate motor vehicles may make application to the registrar of motor vehicles for an identification card to be issued under this section. Only a resident of Massachusetts is eligible to apply for an identification card issued by the registrar. The registrar shall establish criteria for such an identification card by regulation.

SECTION 97. Said section 8E of said chapter 90, as so appearing, is hereby further amended by striking out the third paragraph and inserting place thereof the following 3 paragraphs:—

An identification card or any renewal thereof issued under this section shall be valid from the date of issuance and shall expire on a date to be determined by the registrar which may not be more than 60 months from the date of issue, provided that the registrar may authorize a 1-year extension of the period of identification card validity for an applicant who has undergone medical treatment for an illness resulting in temporary changes to the physical characteristics of the applicant that would be apparent in an image captured by the registrar, as authorized by chapter 432 of the Acts of 2014. The identification card issued to an operator born on February 29 shall, for the purpose of this section, expire on March 1.

Applications for identification cards shall be in such form as may be prescribed by the registrar and shall be signed by the applicant under oath. If the applicant is under age 18, the application shall be accompanied by the written consent, in such form as the registrar shall determine, of a parent or guardian or other person standing in place of a parent of the applicant. The photograph or facial image of the applicant required to be made a part of any identification card issued by this section shall be retained with the application for the period required by regulations of the registrar even if an identification card is not issued.

The registrar may issue more than one type of identification card in such form and type as may be prescribed by the registrar. The registrar shall issue one type of identification card which is compliant with the provisions of the federal REAL ID Act. An applicant for such identification card shall provide documentation acceptable to the registrar. Massachusetts REAL ID-compliant identification cards shall be suitable for federal identification purposes and shall be so marked. The registrar may also issue a non-REAL ID-compliant identification card, a Massachusetts identification card, to an applicant who has satisfied the registrar that the applicant is qualified for such card. An identification card

that is not REAL ID-compliant cannot be used for federal identification purposes and shall be so marked. The registrar may issue an identification card of any type for a term of less than 60 months but not less than 12 months. No identification card of any type may be issued under this section to a person who is legally authorized to stay in the United States for less than 12 months from the date of application for such card. The registrar may issue an identification card for a term of less than 60 months to a resident of Massachusetts who is legally authorized to stay in the United States for a period of at least 12 months, provided that the expiration date of such identification card shall be coterminous with the expiration date of the applicant's authorized stay in the United States, as evidenced by acceptable documents or information provided to the registrar. If said applicant is authorized to stay in the United States for at least 12 months but lacks acceptable evidence of a specific date by which such stay in the United States shall be terminated, any identification card issued shall expire no later than 12 months from the date of issue. No identification card of less than 60 months in duration can be renewed for any period unless the card holder provides documentation satisfactory to the registrar that the card holder is authorized to remain in the United States. Any such identification card expiration shall have an expiration date coterminous with the expiration of the authorized stay. All identification cards issued for a duration of less than 60 months shall be marked as temporary.

SECTION 98. Said chapter 90, as so appearing, is hereby amended by striking out section 31 and inserting in place thereof the following section:—

Section 31. The registrar may make rules and regulations governing the use and operation of motor vehicles or trailers and the conduct of operators and chauffeurs and may establish regulations to govern operator licenses, permits and identification cards and any other products the registrar currently issues or which the General Court may require the registrar to issue. A copy of such rules and regulations attested by the registrar shall be prima facie evidence that they have been made as provided by law. This section shall not be construed as giving the registrar power to regulate the speed at which motor vehicles may be operated on the public ways.

SECTION 99. Section 34B of chapter 138 of the General Laws, as so appearing, is hereby amended by inserting after the third sentence the following sentence:— Any liquor purchase identification card issued by the registrar shall be labeled as 'Not for Federal Identification.'."

Pending the question on adoption of the amendment, Ms. Farley-Bouvier of Pittsfield moved to amend it by striking out the text contained in the amendment and inserting place thereof the following eleven sections:

"SECTION 90. Section 1 of chapter 90 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the definition of 'Killed in action', the following definition:—

'Lawful status' shall have the same meaning as defined in 6 CFR §37.3.

'Lawful presence' in the United States shall mean persons who have (1) 'lawful status' or (2) such other persons as provide documentation

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of lawful presence in the United States satisfactory to the registrar, in consultation with the Department of Homeland Security.

SECTION 91. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of 'Manufacturer, the following definition:—

'Massachusetts license or identification card,' a license or identification card that is not issued in compliance with the standards established by the U.S. Department of Homeland Security.

SECTION 92. Said section 1 of said chapter 90, as so appearing, is hereby further amended by inserting after the definition of 'Police officer' or 'officer', the following 2 definitions:—

'REAL ID Act', the REAL ID Act of 2005, as codified at 49 U.S.C. Section 30301.

'REAL ID-compliant license or identification card', a license or identification card issued in compliance with the standards established by the U.S. Department of Homeland Security at 6 CFR Part 37.

SECTION 93. Section 2 of said chapter 90, as so appearing, is hereby amended by striking out the sixth sentence and inserting in place thereof the following sentence:— Except as otherwise provided in this chapter, no registration shall be issued to a natural person for a motor vehicle or trailer unless such person holds a license; an identification card issued under section 8E; a social security number issued by Social Security Administration or proof of lawful presence in the United States; provided, however, that the registrar shall provide by regulation for certain exemptions from these registration requirements, as applicable, for non-resident out-of-state students, certain military personnel, senior citizens and disabled persons; provided, further, that the registrar may provide by regulation additional exemptions which shall be consistent with this section.

SECTION 94. Section 8 of said chapter 90, as so appearing, is hereby amended by striking out the last 4 paragraphs and inserting in place thereof the following 7 paragraphs:—

A license or any renewal thereof issued to an operator shall be valid from the date of issuance and shall expire on a date to be determined by the registrar which may not be more than 60 months from the date of issue, provided that the registrar may authorize a 1-year extension of the period of license validity for a licensee who has undergone medical treatment for an illness resulting in temporary changes to the physical characteristics of the applicant that would be apparent in an image captured by the registrar, as authorized by chapter 432 of the acts of 2014. The license issued to an operator born on February 29 shall, for the purpose of this section, expire on March 1. An applicant for the renewal of a license 75 years of age or older shall apply for a renewal in person at a registry branch office.

Applications for licenses shall be in such form as may be prescribed by the registrar and shall be signed by the applicant under oath. Only a resident of Massachusetts is eligible to apply for a driver's license issued by the registrar. If the applicant is under age 18, the application shall be accompanied by the written consent, in such form as the registrar shall determine, of a parent or guardian or other person standing in place of a parent of the applicant. The photograph or facial image of the applicant required to be made a part of any license issued by this

section shall be retained for the period required by regulations of the registrar even if a driver's license is not issued.

The registrar shall issue more than one type of license, in such form and type as may be prescribed by the registrar. The registrar shall issue one type of license that is compliant with the provisions of the REAL ID Act. An applicant for such license shall provide documentation and demonstrate qualifications acceptable to the registrar. Massachusetts REAL ID-compliant licenses shall be suitable for federal identification purposes and shall be so marked. The registrar shall also issue a Massachusetts license to an applicant who provides documentation and demonstrates qualifications acceptable to the registrar. A Massachusetts license may not be used for federal identification purposes and shall be so marked. A Massachusetts license issued by or before the effective date of this paragraph may be renewed as a Massachusetts license without the license holder providing proof of lawful presence or the expiration date of an authorized stay.

The registrar may issue a REAL ID-compliant license for a term of less than 60 months to a resident of Massachusetts who is lawfully present in the United States for a period of at least 12 months, provided that the expiration date of such a license shall be coterminous with the expiration date of the licensee's authorized stay in the United States, as evidenced by acceptable documents or information provided to the registrar. If said licensee is authorized to stay in the United States for at least 12 months but lacks acceptable evidence of a specific date by which such stay in the United States shall be terminated, any license issued shall expire not later than 12 months from the date of issue. No REAL ID-compliant license of less than 60 months in duration can be renewed unless the license holder provides documentation satisfactory to the registrar that he or she is authorized to remain in the United States. Any such license shall have an expiration date coterminous with the expiration of the authorized stay. All licenses issued for less than 60 months in duration shall be marked as temporary.

An applicant for a license under this section shall be required to answer questions on the examination to determine the applicant's knowledge of the laws regarding operating a motor vehicle while under the influence of alcoholic beverages or drugs or while sending or receiving electronic messages, and including the relevant sections of this chapter, chapter 94C and chapter 138. The registrar shall determine the nature and number of such questions.

An applicant for a license or renewal thereof appearing in person at a registry branch shall take and pass a vision test administered by the registry; provided, however, that except as required by the registrar in regulations, an applicant may provide a vision screening certificate, signed by an optometrist or ophthalmologist to demonstrate compliance with minimum visual standards to obtain and hold a license. Such vision screening certificate shall not be deemed invalid by the registrar solely because it contains an electronic signature.

SECTION 95. Section 8B of said chapter 90, as so appearing, is hereby amended by inserting in line 42, after the word, 'occurs,' the following words:— , except that no REAL ID-compliant permit shall be issued to an applicant for a period of time longer than the registrar

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determines the applicant is legally authorized to remain in the United States.

SECTION 96. Said section 8B of said chapter 90, as so appearing, is hereby further amended by striking out the last sentence and inserting in place thereof the following sentence:— Notwithstanding that a learner's permit may be valid for a period of up to 2 years, each holder issued a learner's permit with a period of validity of 2 years may take not more than 6 driving tests within the first year and not more than 6 driving tests within the second year and if the registrar has issued a learner's permit of less than 2 years duration, the permit holder shall be limited to no more than 6 driving tests in the first year and no more than 1 driving test for each 2 months of remaining validity of the permit, upon payment of the fee for examination of an applicant for an operator's license as required in said section 33, for each such driving test.

SECTION 97. Section 8E of said chapter 90, as so appearing, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:—

Any person 14 years of age or older who does not have a valid license to operate motor vehicles may make application to the registrar of motor vehicles for an identification card to be issued under this section. Only a resident of Massachusetts is eligible to apply for an identification card issued by the registrar. The registrar shall establish criteria for such an identification card by regulation, in consultation with the U.S. Department of Homeland Security.

SECTION 98. Said section 8E of said chapter 90, as so appearing, is hereby further amended by striking out the third paragraph and inserting place thereof the following 3 paragraphs:—

An identification card or any renewal thereof issued under this section shall be valid from the date of issuance and shall expire on a date to be determined by the registrar which may not be more than 60 months from the date of issue, provided that the registrar may authorize a 1-year extension of the period of identification card validity for an applicant who has undergone medical treatment for an illness resulting in temporary changes to the physical characteristics of the applicant that would be apparent in an image captured by the registrar, as authorized by chapter 432 of the Acts of 2014. The identification card issued to an operator born on February 29 shall, for the purpose of this section, expire on March 1.

Applications for identification cards shall be in such form as may be prescribed by the registrar and shall be signed by the applicant under oath. If the applicant is under age 18, the application shall be accompanied by the written consent, in such form as the registrar shall determine, of a parent or guardian or other person standing in place of a parent of the applicant. The photograph or facial image of the applicant required to be made a part of any identification card issued by this section shall be retained with the application for the period required by regulations of the registrar even if an identification card is not issued. The registrar shall issue more than one type of identification card in such form and type as may be prescribed by the registrar. The registrar shall issue one type of identification card which is compliant with the provisions of the federal REAL ID Act. An applicant for such identification card shall provide documentation acceptable to the registrar. Massachu-

setts REAL ID-compliant identification cards shall be suitable for federal identification purposes and shall be so marked. The registrar shall also issue a non-REAL ID-compliant Massachusetts identification card to an applicant who has satisfied the registrar that the applicant is qualified for such card. An identification card that is not REAL ID-compliant cannot be used for federal identification purposes and shall be so marked. The registrar may issue an identification card of any type for a term of less than 60 months but not less than 12 months. No identification card of any type may be issued under this section to a person whose lawful presence in the United States is for less than 12 months from the date of application for such card. The registrar may issue a REAL ID-compliant identification card for a term of less than 60 months to a resident of Massachusetts whose lawful presence in the United States is authorized for a period of at least 12 months, provided that the expiration date of such identification card shall be coterminous with the expiration date of the applicant's authorized stay in the United States, as evidenced by acceptable documents or information provided to the registrar. If said applicant's lawful presence in the United States is authorized for at least 12 months but lacks acceptable evidence of a specific date by which such stay in the United States shall be terminated, any identification card issued shall expire no later than 12 months from the date of issue. No REAL ID-compliant identification card of less than 60 months in duration can be renewed for any period unless the card holder provides documentation satisfactory to the registrar that the card holder is authorized to remain in the United States. Any such identification card expiration shall have an expiration date coterminous with the expiration of the authorized stay. All identification cards issued for a duration of less than 60 months shall be marked as temporary.

SECTION 99. Said chapter 90, as so appearing, is hereby amended by striking out section 31 and inserting in place thereof the following section:—

Section 31. The registrar may make rules and regulations governing the use and operation of motor vehicles or trailers and the conduct of operators and chauffeurs and may establish regulations to govern operator licenses, permits and identification cards and any other products the registrar currently issues or which the General Court may require the registrar to issue. A copy of such rules and regulations attested by the registrar shall be prima facie evidence that they have been made as provided by law. This section shall not be construed as giving the registrar power to regulate the speed at which motor vehicles may be operated on the public ways.

SECTION 100. Section 34B of chapter 138 of the General Laws, as so appearing, is hereby amended by inserting after the third sentence the following sentence:— Any liquor purchase identification card issued by the registrar shall be labeled as "Not for Federal Identification."

After debate the further amendment was rejected. The amendment offered by Mr. Jones of North Reading and other members of the House then was adopted.

Mr. Dempsey of Haverhill and others members of the House then moved to amend the bill in section 2, in item 0640-0300, in line 6, by inserting after the word "Laws" the following: "; provided that not less than \$75,000 shall be expended on the Springfield Performing Arts

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(labor and  
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development).

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Development Corporation; provided further, that not less than \$9,000 shall be expended to the town of Stoneham for a one time restoration grant; provided further, that not less than \$80,000 shall be expended on the Cogswell School building in Bradford; provided further, that not less than \$25,000 will be allocated for Phase 2 of the Berkshire Carousel Project in Pittsfield for ADA compliance”, and in said item by striking out the figures “10,000,000” and inserting in place thereof the figures “12,189,000”;

By striking out item 1599-0026 and inserting in place thereof the following:

“1599-0026 For a reserve to support municipal improvements; provided, that not more than \$2,650,000 shall be expended for an incentive program for communities and municipalities engaging in the use of best practices determined by the Community Compact Cabinet created by Executive Order No. 554 issued January 23, 2015; provided further, that not less than \$2,800,000 shall be expended to fund the District Local Technical Assistance Fund established in section 2XXX of chapter 29 of the General Laws, including projects that encourage regionalization, to be administered by the division of local services and distributed through the District Local Technical Assistance Fund; provided further, that not less than what was appropriated in this item in section 2 of chapter 165 of the act of 2014 for a 1-time grant to the city of Quincy shall be expended again for a 1-time grant to the city of Quincy in fiscal year 2017; provided further, that not less than \$30,000 shall be expended for Camp Kivanae in Hanson; provided further, that not less than \$50,000 shall be expended for geographic information system project in the city of Lynn; provided further, that not less than \$200,000 shall be expended for public safety improvements in the town of Weymouth; provided further, that no less than \$50,000 shall be expended to Abington for public safety grant along route 18; provided further, that not less than \$25,000 shall be expended for design or construction at the Shawsheen Valley Technical High School; provided further, that not less than \$50,000 shall be expended for the Yankee Doodle Bike Path in Billerica; provided further, that not less than \$35,000 shall be expended for the purpose of data collection and analysis for the Taunton Opioid Task Force Community Follow-up Pilot Program; and provided further, that not less than \$350,000 shall be appropriated to Plymouth County ..... \$6,480,000”;

In item 7002-0010, by adding the following: “; and provided further, that the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technol-

ogy, Inc.”, and in said item by striking out the figures “2,151,996” and inserting in the place thereof the figures “2,451,996”;

In item 7002-0012, in line 4, by inserting after the word “programs” the following: “; provided further, that not less than \$125,000 shall be expended for a grant to the Union of Minority Neighborhoods; provided further, that not less than \$25,000 shall be expended for a grant program to Crossroads Family Center in East Boston for the operation of workforce development and educational programing for women and girls; provided further, that no less than \$50,00 shall be expended for a grant program to St. Mary’s Center in Dorchester for the operation of workforce development and educational programing for women and girls”, and in said item by striking out the figures “9,000,000” and inserting in the place thereof the figures “9,700,000”;

By inserting after item 7002-0017 the following three items:

- “7002-0020 For a precision manufacturing pilot program that provides training to unemployed and underemployed individuals, including veterans; provided, that the program shall be administered by the executive office of housing and economic development ..... \$1,535,000;
- 7002-0032 For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws ..... \$500,000;
- 7002-0035 For a reserve to support the commonwealth’s defense sector initiatives; provided, that the executive office may allocate funds to the Massachusetts Development Finance Agency for this purpose ... \$125,000”;

In item 7002-0036, by adding the following: “; provided further, that not less than \$30,000 shall be expended for HolyokeWorks of Holyoke for their programs addressing the needs of low-skilled and bilingual workers; provided further that not less than \$250,000 shall be appropriated for the city of Lowell department of planning and development to create a business development grant program run by the City in conjunction with a qualified public institution in Lowell; and provided further, that not less than \$50,000 shall be expended for planning and construction of an arts center on Main Street in the town of Wakefield”, and in said item by striking out the figures “3,000,000” and inserting in place thereof the figures “3,330,000”;

In item 7003-0606 by striking out the figures “1,300,000” and inserting in place thereof the figures “2,000,000”;

By inserting after the item 7003-0901 the following:

- “7003-0902 For the operation of the Joint Labor Management Committee for Municipal Police and Fire ..... \$250,000”;

In item 7003-1206 by adding the following: “; provided, that not less than \$150,000 shall be expended for the development and implementation of a middle skills workforce training program to be conducted by the Gloucester Marine Genomics Institute Inc.; provided further, that not less than \$50,000 shall be expended to the CONNECT program, in Chelsea; provided further, provided further, that not less than \$400,000 shall be expended for the Urban League of Springfield; provided further, that not less than \$250,000 shall be expended towards

workforce efforts at the Pine Street Inn in Boston; provided further, that \$100,000 shall be expended for the Moving Ahead Program at the St. Francis House in Boston; provided further, that not less than \$250,000 shall be expended for the New England Farm Workers' Council, Inc.; provided further, that not less than \$200,000 shall be expended to Career Resources Corporation in Haverhill toward employment services for veterans with disabilities; provided further, that no less than \$400,000 shall be spent for the Urban League of Eastern Massachusetts; provided, that not less than \$100,000 shall be expended for Cape Verdean Community UNIDO, Inc. for program expansion serving immigrants in the Roxbury and Dorchester areas of Boston; provided further, that not less than \$50,000 shall be expended for workforce efforts for proven-risk young adults at UTEC, Inc.; and provided further, that not less than \$75,000 shall be expended for programs supporting and promoting cultural heritage diversity, and education in the city of Boston", and in said item by striking out the figures "1,400,000" and inserting in place thereof the figures "3,425,000";

In item 7007-0952, in line 14, by inserting after the year "1996" the following: "; provided further, that no less than \$100,000 shall be expended for the Lupa Zoo and Game Farm, Inc. in Ludlow"; and in said item by striking out the figures "4,900,000" and inserting in place thereof the figures "5,100,000";

In item 7008-0900, in line 3, by inserting after the word "championships" the following: "; provided further, that no less than \$35,000 shall be expended for the Glass Town Cultural District for the purpose of tourism promotion efforts; provided further, that not less than \$100,000 shall be expended for Plymouth 400, Inc.; provided further, that not less than \$25,000 be expended for the celebration of the 100th anniversary of Peabody; provided further, that not less than \$25,000 be expended for the Peabody fire and police memorial; provided further, that not less than \$50,000 be expended by the city of Peabody for the study of operating a high rail trolley service on the MBTA track running from Peabody Square to the Salem Depot; provided further, that no less than \$90,000 shall be expended for the Russian Community Association of Massachusetts Inc.; provided further, that no less than \$75,000 shall be expended for the Waltham Tourism Council; provided further, that not less than \$100,000 shall be expended for repairs to a municipal building in Brockton; provided further, that \$20,000 be expended for the construction of a new playground at the Helen R. Donaghue School in Merrimac; provided further, that not less than \$100,000 be expended for the implementation of a management information system at the water division in Lynn; provided further, that not less than \$50,000 shall be expended for the North Quabbin Chamber of Commerce, Inc. to fund a regional tourism council for the North Quabbin region; provided further, that no less than \$75,000 shall be expended for the New England Public Radio in the City of Springfield; provided further that not less than \$50,000 shall be expended for the Wilbraham Nature and Cultural Council working in collaboration with the Wilbraham Community Association and the Minnechaug Land Trust for tourism marketing and advertising purposes; provided further, that no less than \$50,000 shall be expended for improvements to the historic Fino Field in Milford; provided further, that \$25,000 shall

be expended to the town of Dedham to commemorate the 375th anniversary of Mother Brook waterway; provided further, that not less than \$25,000 shall be expended to the Mendon 350th Anniversary Committee for the commemoration of the 350th anniversary of Mendon; provided further, that not less than \$10,000 shall be expended for visibility improvements in Newburyport; provided further, that not less than \$20,000 shall be expended as a one-time grant for the Fireball Run in Amesbury; provided further, that not less than \$50,000 shall be expended for the operation of the Greater Gardner Business Incubation Network's business incubator in Gardner; provided further, that not less than \$200,000 shall be expended as grants for the Bay State Games; provided further, that not less than \$50,000 shall be expended to the Germantown Neighborhood Center in Quincy; provided further, that not less than \$100,000 shall be expended to Quincy Asian Resources, Inc. in Quincy; provided further, that not less than \$75,000 shall be expended for the purposes of the operation of the Riverside Theatre Works of Boston; provided further, that not less than \$75,000 shall be expended to Boston Landmarks Orchestra, Inc.; provided further, that no less than \$70,000 shall be spent for the operation of the Eureka program in the Holyoke, Lynn and Worcester chapters of Girls Inc.; provided further, that no less than \$175,000 shall be expended for handicap accessibility to municipally owned buildings in West Springfield; provided further, that \$50,000 shall be expended for Old Sturbridge Village Sturbridge; provided further, that not less than \$10,000 shall be expended for costs associated with the Town of Palmer's 300th anniversary celebration; provided further, that not less than \$50,000 be issued to the Quabog Valley Community Development Corporation for the establishment of a regional adult learning center; provided further, that no less than \$50,000 shall be expended for the enhancement of Artists' Row in Salem; provided further, that no less than \$25,000 shall be expended to the Essex National Heritage Commission for improvement to the Essex National Heritage Area in Essex County; provided further that not less than \$50,000 shall be provided to the Hilltown Community Development Corporation to establish a rural capacity building initiative ; provided further, that not less than \$50,000 shall be expended to the town of Dudley for the Quinebaug Rail Trail intermodal transportation corridor between the towns of Webster and Dudley; provided further, that \$100,000 shall be expended for a destination farmers market in Revere; provided further, that not less than \$10,000 shall be expended for the construction of a Little Free Library on Franklin Housing Authority property; provided further, that no less than \$100,000 shall be expended for a matching grant program to the Enrichment Center located in Dorchester; provided that not less than \$50,000 shall be expended for a one-time child enhancement grant to North Reading; provided further, that no less than \$50,000 shall be expended for LuminArtz for the production of public art displays; provided further that no less than \$500,000 shall be expended for the Greater Boston Convention & Visitors Bureau for marketing and promotion of Sail Boston/Tall Ships 2017; provided further, that not less than \$50,000 shall be expended for a grant to the 128 Business Council for planning and development of a transportation management association serving the Arsenal Street and Pleasant Street

corridors in Watertown; provided further, that not less than \$50,000 be provided for the planning, engineering, and construction to redesign the intersection of Front Street, Central Street and Spring Street in Winchendon; provided further, that not less than \$50,000 shall be expended to the historic West Medford Community Center; provided further, that not less than \$100,000 shall be expended for improvements at Aquinnah Circle in the town of Aquinnah; provided further, that not less than \$200,000 shall be expended for the purpose of funding the planning, preliminary design and engineering costs for the construction of a skate park at Farm Pond in Framingham; provided further, that not less than \$100,000 shall be expended for the Western Massachusetts Sports Commission; provided further, that not less than \$50,000 shall be expended for the creation of a park at the beginning of the Mansfield Norton Bike Trail in Mansfield; provided further, that not less than \$25,000 shall be expended for public safety improvements on route 123 and route 140 in Norton; provided further, that \$50,000 shall be expended for a feasibility study for the reconfiguration and expansion of the parking lots at the commuter rail station in Sharon to facilitate travel to Boston; provided further, that not less than \$25,000 shall be expended for an economic development study for the redevelopment of the downtown area in Foxboro; provided further, that not less than \$25,000 shall be expended for training apprenticeship program for students ages 8 to 21 interested in theatrical performance, design, management and the allied arts of theatre; provided further, that not less than \$25,000 shall be expended for the purposes of the operation of the programs of the Menino Arts Center; provided further, that not less than \$50,000 shall be expended for youth programs at Denison Memorial Community Center in New Bedford; provided further that not less than \$100,000 shall be expended for production at Zeiterion Performing Arts in New Bedford; provided further, that not less than \$50,000 shall be expended for AHA! Art, History & Architecture in the city of New Bedford; provided further, that not less than \$50,000 shall be expended for the Frederick Douglass House in New Bedford; provided further, that not less than \$250,000 shall be expended for the West Roxbury Main Streets Parkway Community Pavilion construction project on Centre Street in West Roxbury; provided further, that not less than \$30,000 shall be expended on the planning and celebration of the 300th anniversary of the town of Westborough; provided further, that not less than \$25,000 shall be expended for a matching grant program to Lena Park Community Center located in Dorchester; provided further, that no less than \$50,000 be granted to the Independent Film Society of Boston; provided further, that no less than \$50,000 shall be expended for the restoration of the State Theatre in Stoughton; provided further, that no less than \$25,000 shall be expended for a matching grant program to No Books No Ball located in Roxbury; provided further, that not less than \$75,000 shall be expended for the Head of the Charles Regatta to cover costs associated with public safety; provided further, that not less than \$500,000 shall be expended for the Outside the Box festival in Boston; provided further, that not less than \$50,000 shall be expended for public service announcements to be broadcasted during From the Top, Inc's radio programming; provided further, that not less than \$6,000 shall be

expended for the Oakes Ames Memorial Hall in Easton; provided further, that not less than \$50,000 be allocated to the Fort Devens Museum to support staffing and educational programs; provided further, that not less than \$50,000 be allocated for the Naismith Memorial Basketball Hall of Fame"; and in said item by striking out the figure "4,343,665" and inserting in place thereof the figures "10,397,833";

By inserting after the section 5C (inserted by amendment), the following two sections:

"SECTION 5D. Section 13H of chapter 23A of the General Laws, as amended by section 40 of chapter 46 of the acts of 2015, is hereby amended by striking out, in line 20, the words 'the Berkshire Hills Visitors Bureau' and inserting in place thereof the following words:— 'Berkshire Strategic Alliance, Inc.'[sic];

"SECTION 5E. The second paragraph of section 14 of said chapter 23A of the General Laws, as amended by section 41 of said chapter 46 of the acts of 2015, is hereby further amended by inserting, in line 15, after the words 'Hampshire County Tourism and Visitor's Bureau' the following words:—, 'Berkshire Strategic Alliance, Inc.'[sic];

By inserting after section 19A (inserted by amendment) the following section:

"SECTION 19B. Section 6 of chapter 128C of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out the words "two and one-half percent", wherever appearing, and inserting in place thereof the following words: "three-eighths of one percent";

By inserting after section 21A (inserted by amendment) the following section:

"SECTION 21B. Section 1 of chapter 636 of the acts of 1964, is hereby amended by striking out the words 'Berkshire Hills Conference, Inc.'";

By inserting after section 47 the following two sections:

"SECTION 47A. The secretary of housing and economic development, in conjunction with the commissioner of revenue, shall study the feasibility, costs and benefits of implementing an urban revitalization tax credit for properties located in urban areas, for the purpose of rejuvenating urban building infrastructure in the commonwealth. The study shall consider, but not be limited to considering, the benefits of incorporating the following eligibility criteria into such a possible tax credit program: the population density and size of the location of urban properties; the median household income of the location of the urban properties; and the rate of educational attainment of the location of urban properties. The secretary shall file a report on the results of the study on or before December 31, 2016, with the clerks of the house of representatives and senate who shall forward the same to the joint committees on revenue and economic development and emerging technologies.

SECTION 47B. Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund under section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2016 as follows: (i) transfer 1/2 of the surplus, not to exceed \$10,000,000, to the Massachusetts Community Preservation Trust Fund established in section 9 of chapter 44B of the General Laws; and (ii) transfer 1/2 of the

Consolidated amendments adopted, — yeas and nays No. 242.

surplus, not to exceed \$10,000,000, to the Massachusetts Life Sciences Investment Fund established in section 6 of chapter 23I of the General Laws.”

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Ryan of Boston; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 242 in Supplement.]

Therefore the consolidated amendments (labor and economic development) were adopted.

Mr. Dempsey of Haverhill then moved to amend the bill in section 2, in item 0321-1600, by striking out the figures “18,000,000” and inserting in place thereof the figures “18,500,000”;

In item 1108-5200, by striking out the figures “1,674,331,829” and inserting in place thereof the figures “1,643,114,709”;

In item 1108-5400, by striking out the figures “54,160,000” and inserting in place thereof the figures “51,376,567”;

By inserting after item 1233-2400 the following item:

“1233-2401 For reimbursements to qualifying cities and towns for additional educational costs pursuant to chapter 40S of the General Laws ..... \$250,000”;

In item 1410-0012 (inserted by amendment) by striking out the figures “35,000” and inserting in place thereof the figures “60,000”, and in said item by striking out the figures “3,667,641” and inserting in place thereof the figures “3,692,641”;

In section 2E, in item 1595-6368 ( inserted by amendment) by striking out the words “ and in said item by striking out the figures”;

In item 1599-0026 (inserted by amendment) by inserting after the following: “; Quincy in fiscal year 2017” the following: “; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 for the city of Haverhill shall be expended again in fiscal year 2017”; and in said item by striking out the figures “6,480,000” and inserting in place thereof the figures “6,980,000”;

By inserting after item 1599-1977, the following item:

“1599-2014 For a reserve for victim assistance to be paid to the estate of the plaintiff in the case of Davis v. Rennie, civil action NO. 96-cv-11598MEL; provided, that the funds shall satisfy in part the judgment ... \$250,000”;

In item 2810-0100 (inserted by amendment) by inserting after the words “Pond in Hanson” the following: “; provided further, that not less than \$50,000 shall be expended for the MacDonald park in Medford; provided further, that not less than \$100,000 shall be expended for the Blue Hills Trailside Museum”, and in said item by striking out the figures “39,536,430” and inserting in place thereof the figures “39,686,430”;

In item 3000-3060, in line 43, by inserting after the word “deficiency” the following: “; provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item; provided further, that the department shall recoup funds owed by providers related to payments made by the department in the

prior fiscal year by reducing payments to said provider for services related to this item rendered in fiscal year 2017”;

In item 3000-4060, in line 11, by inserting after the figures “2017” the following: “; provided further, that reimbursements to providers for services rendered in prior fiscal years may be expended from this item; provided further, that the department shall recoup funds owed by providers related to payments made by the department in the prior fiscal year by reducing payments to said provider for services related to this item rendered in fiscal year 2017”;

In item 3000-7050 (inserted by amendment) by inserting after the words “Massachusetts Quality Rating and Improvement System” the following: “; provided further, that not less than \$100,000 shall be expended for Square One , a regional early education daycare provider in Western Massachusetts”, and in said item by striking out the figures “14,114,626” and inserting in place thereof the figures “14,214,626”;

In item 4401-1000 (inserted by amendment) by striking out the figures “794,000” and inserting in place thereof the figures “894,000”, and in said item by striking out the figures “11,794,000” and inserting in place thereof the figures “11,894,000”;

In item 4510-0600 by adding the following: “; provided, that not less than \$25,000 shall be expended to the Silent Spring Institute”, and in said item by striking out the figures “3,936,554” and inserting in place thereof the figures “3,961,554”;

In item 4512-0200 (inserted by amendment) by striking out the following: “provided further, that not less than \$100,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services” and inserting in place thereof the following: “provided further, that not less than \$200,000 shall be expended to the Berkshire County Youth Development Project for youth intervention services”, and in said item by striking out the figures “128,972,987” and inserting in place thereof the figures “129,072,987”;

In item 4513-1098 (inserted by amendment) by adding the following: “; and provided further, that not less than \$100,000 shall be expended for Women Survivors of Homicide Movement of Roslindale”, and in said item by striking out the figures “200,000” the second time it appears and inserting in place thereof the figures “300,000”;

In item 4513-1130 (inserted by amendment) by inserting after the words “Malden & Medford” the following: “; provided further, further that not less than \$10,000 shall be expended to Delamano, Inc. in Lawrence toward community outreach on domestic violence”, and in said item by striking out the figures “30,797,153” and inserting in place thereof the figures “30,807,153”;

In item 4590-0250 (inserted by amendment) by striking out the figures “35,000” and inserting in place thereof the figures “75,000”, and in said item by striking out the figures “12,092,830” and inserting in place thereof the figures “12,132,830”;

In item 4590-1507 (inserted by amendment) by striking out the following “Methuen YMCA” and inserting in place thereof the following: “Lawrence YWCA”;

In item 4800-0038 (inserted by amendment) by inserting after the words “Pioneer Valley” the following: “; provided further, that not less than \$50,000 shall be expended for the Massachusetts Citizens for

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Children”, and in said item by striking out the figures “\$283,612,853” and inserting in place thereof the figures “283,662,853”;

In item 7000-9401 by striking out the following: “40.7 cents” and inserting in place thereof the following: “44.7 cents”, and in said item by striking out the figures “9,883,482” and inserting in place thereof the figures “10,133,482”;

In item 7002-0036 by adding the following: “; and provided further, that funds may be used for planning grants to local housing authorities and municipalities in urban areas to develop new affordable rental or homeownership housing”;

In item 7004-0099 (inserted by amendment) by inserting after the words “Development in Brighton;” the following: “; provided further, that not less than \$45,000 shall be expended for a caseworker position under the Housing Assistance Corporation (HAC) in Hyannis to assist residents of Martha’s Vineyard who are homeless or at risk for homelessness”, and in said item by striking out the figures “7,427,921” and inserting in place thereof the figures “7,472,921”;

In item 7004-0101 (inserted by amendment) by striking out the following: “provided further, that not less than \$65,000 shall be expended for Emmaus Inc. of Haverhill; provided further, that as a one-year pilot program, the department may expend not more than \$300,000 under item 7004-0108 on families residing in time-limited temporary emergency shelters and residential treatment programs under items 4512-0200, 4513-1130, and 4800-0038 if such families otherwise meet all eligibility requirements applicable to emergency shelter under item 7004-0101, except that, solely for the purpose of item 7004-0108, the fact that a family is residing in a temporary emergency domestic violence shelter under items 4513-1130 or 4800-0038 or in a residential treatment program under item 4512-0200 shall not preclude such family from receiving assistance; and provided further, that any unit in such temporary emergency shelters or residential treatment programs under items 4512-0200, 4513-1130, or 4800-0038 vacated through use of funds under this pilot program shall be filled by a family (i) eligible both for emergency shelter under item 7004-0101 and for entry into such temporary emergency shelter or residential treatment program under item 4512-0200, 4513-1130, or 4800-0038 and (ii) referred to such temporary emergency shelter or residential treatment program under item 4512-0200, 4513-1130, or 4800-0038 by the department”;

In item 7004-0102 (inserted by amendment) by inserting after the words “Prevent and End Homelessness;” the following: “; provided further, that not less than \$65,000 shall be expended for Emmaus Inc. of Haverhill”, and in said item by striking out the figures “44,870,000” and inserting in place thereof the figures “44,935,000”;

In item 7004-0108 by adding the following: “; provided further, that as a one-year pilot program, the department may expend not more than \$300,000 under item 7004-0108 on families residing in time-limited temporary emergency shelters and residential treatment programs under items 4512-0200, 4513-1130, and 4800-0038 if such families otherwise meet all eligibility requirements applicable to emergency shelter under item 7004-0101, except that, solely for the purpose of item 7004-0108, the fact that a family is residing in a temporary emergency domestic violence shelter under items 4513-1130 or 4800-0038

or in a residential treatment program under item 4512-0200 shall not preclude such family from receiving assistance; and provided further, that any unit in such temporary emergency shelters or residential treatment programs under items 4512-0200, 4513-1130, or 4800-0038 vacated through use of funds under this pilot program shall be filled by a family (i) eligible both for emergency shelter under item 7004-0101 and for entry into such temporary emergency shelter or residential treatment program under item 4512-0200, 4513-1130, or 4800-0038 and (ii) referred to such temporary emergency shelter or residential treatment program under item 4512-0200, 4513-1130, or 4800-0038 by the department”;

In item 7004-9030 (inserted by amendment) by striking out the figures “5,000,000” and inserting in place thereof the figures “6,000,000”;

By inserting after item 7007-0800 the following item:—

“7007-0801 For microlending grants of up to \$100,000 which shall be issued to established community development financial institutions and community advantage lenders making direct microenterprise and small business loans to borrowers on a regional basis, and providing technical assistance to applicants and borrowers in order to foster business establishment and success; provided, that the funds shall be used to support the eligible organizations’ lending and technical assistance activities ..... \$200,000”;

In item 7008-0900 (inserted by amendment) by inserting after the following: “item 7008-1000” the following: “; provided further, that not less than \$20,000 shall be expended for the old schoolhouse restoration project in Freetown; provided further, that not less than \$25,000 shall be expended to the Wareham tourist council; provided further, that funds shall be expended on visitor information centers; provided further, that not less than the amount appropriated in item 7007-0800 in section 2 in chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than \$100,000 shall be expended for an economic development grant to the town of Avon; provided further, that not less than the amount appropriated in this item in section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$25,000 shall be expended for the Haverhill Inner City Boxing Club, Inc.; provided further, that not less than \$25,000 shall be expended for Haverhill Downtown Boxing, Inc.; provided further, that not less than \$50,000 shall be expended for the Merrimack Valley Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that not less than \$25,000 shall be expended for the St. James food pantry in the city of Haverhill; provided further, that not less than \$25,000 shall be expended for the Power of Self Education (POSE) Inc. in the city of Haverhill; provided further, that not less than \$50,000 shall be expended to the

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American Legion Post 4 located in Haverhill; provided further, that not less than \$75,000 shall be expended for a transportation grant to the city of Milford; and provided further, that not less than \$100,000 shall be expended for YWCA Haverhill”, in an said item by striking out the figures “10,397,833” and inserting in place thereof the figures “11,492,833”; By inserting after item 7035-0006, the following item:—

“7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaboratives for certain expenditures for transportation of non-resident pupils to approved vocational-technical programs of any regional or county agricultural school district, city, town, independent school or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth’s full obligation under said section 8A of said chapter 74, the department shall within 10 days notify the secretary of administration and finance, the joint committee on education, and the house and senate committees on ways and means of the amount needed to fully fund the obligation ..... \$250,000”;

In item 7066-0040 (inserted by amendment) by striking out the year “2016” and inserting in place thereof the year “2017”;

In item 7100-4000, by striking out the words “provided further, that the allocation of funds shall be approved by the board of higher education; and provided further, that in developing the allocation among campuses, the commissioner shall ensure that no campus receives less in fiscal year 2017 than in fiscal year 2016” and inserting in place thereof the following words:— and provided further, that the allocation of funds shall be approved by the board of higher education;

In item 8000-0010, in line 13, by inserting after the word “department” the following: “; provided further, that new and existing programs shall be eligible for grants”;

In item 8324-0000 (inserted by amendment) by striking out the figures “10,000” and inserting in place thereof the figures “25,000”, and in said item by striking out the figures “\$23,898,381” and inserting in place thereof the figures “23,913,381”;

In item 9110-9002 (inserted by amendment) by inserting after the words “Dedham town hall;” the following: “; provided further, that not less than \$25,000 shall be expended to the Westfield Senior Center”, and in said item by striking out the figures “14,650,000” and inserting in place thereof the figures “14,675,000”;

By inserting after section 5A (inserted by amendment) the following section:

“SECTION 5A1. Section 33 of chapter 7C of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the last sentence of the 12th paragraph the following words:— After the hearing is conducted, the commissioner shall make a draft of any reuse restrictions available to the public, and shall accept written comments for a period of 21 days. If after the hearing is conducted the commissioner determines that no reuse restrictions are necessary, the commissioner shall make that decision publicly known, and accept written comments on that decision for a period of 21 days.”;

By inserting after section 5B (inserted by amendment) the following section:

“SECTION 5B1. Section 34 of said chapter 7C, as so appearing, is hereby amended by inserting after the last sentence of the 4th paragraph, the following words:— After the hearing is conducted, the commissioner shall make a draft of any reuse restrictions available to the public, and shall accept written comments for a period of 21 days. If after the hearing is conducted the commissioner determines that no reuse restrictions are necessary, the commissioner shall make that decision publicly known, and accept written comments on that decision for a period of 21 days.”;

In section 6D (inserted by amendment) by inserting after the word “sentence” the words “and sixth sentence”;

By inserting after section 19A (inserted by amendment) the following section:

“SECTION 19AA. Subsection (b) of section 66 of said chapter 118E is hereby amended by striking out the second sentence, as inserted by section 19”;

In section 29, in line 304, by inserting after the figures “95-7378” the following: “; provided, however, that if, in fiscal year 2017, the unexpended balances of items 0699-0014, 0699-0015, 0699-2005 and 0699-9100 is less than 30 per cent of all payments received by the commonwealth in fiscal year 2017 under the master settlement agreement payments, an amount equal to the difference shall be transferred to the State Retiree Benefits Trust Fund from payments received by the commonwealth under the master settlement agreement in Commonwealth of Massachusetts v. Philip Morris, Inc. et al., Middlesex Superior Court, No. 95-7378.”;

By striking out section 32B (inserted by amendment);

By striking out section 44A (inserted by amendment) and inserting in place thereof the following section:

“SECTION 44A. Notwithstanding the provisions of any general or special law to the contrary, the personnel administrator shall certify any active employee who was transferred pursuant to chapter 25 of the acts of 2009 to, hired after November 1, 2009 into, or is serving provisionally or by emergency appointment in, any labor service position in the Massachusetts Department of Transportation on April 30, 2016 to permanent civil service status in that position; provided, however, that any such employee not serving in the position for at least six months immediately prior to April 30, 2016, shall serve a probationary period as provided by section 34 of chapter 31 of the General Laws. The civil

service seniority date for employees certified as provided herein shall be the first date of service in the position but not before November 1, 2009. The civil service seniority date of any person who held permanent civil service status in a labor service position at the former Massachusetts Highway Department or the department of conservation and Recreation immediately prior to November 1, 2009 and was transferred to the Massachusetts Department of Transportation shall not be affected.”;

By striking out section 46B (inserted by amendment) and inserting in place thereof the following section:

“SECTION 46B. (a) There shall be a special commission to study and make recommendations to improve efficiencies relative to transportation for homeless students in the commonwealth. The special commission shall consist of the following members or their designees: the house and senate chairs of the joint committee on education, the house and senate chairs of the committee on children, families and persons with disabilities, the house and senate chairs of the joint committee on housing, the commissioner of elementary and secondary education, the commissioner of transitional assistance, and 3 members who shall be appointed as follows: 1 member appointed by the senate president who shall be a representative from an organization that services homeless families; 1 member appointed by the speaker of the house of representatives who shall be a member of the Massachusetts Municipal Association with knowledge of municipal finance; and 1 member appointed by the governor who shall be a representative from a transportation company that services homeless students.

(b) The commission shall study and report on the following: (i) non-identifiable data relative to homeless students in the state, including age groups and geographic settings; (ii) a review of the federal McKinney-Vento Homeless Children and Youth Assistance Act and recommendations on improving efficiencies relative to homeless student transportation; (iii) a review of methods districts use to transport homeless students, including current costs and bid processes in procuring transportation; (iv) a budget assessment of transportation for homeless students, including an assessment of federal funding provided to the state under the McKinney-Vento Homeless Assistance Act; and (vi) recommendations for improving transportation services for homeless students. The commission, in formulating its recommendations, shall take into account the best policies and practices in other states. The commission shall hold no fewer than 5 public meetings, and may hold hearings and other forums as it considers necessary.

(c) The commission shall file its report and recommendations with the clerks of the senate and the house of representatives who shall forward the same to the senate and house chairs of the joint committee on education no later than July 1, 2017.”;

In section 46C (inserted by amendment) by striking out the second paragraph and inserting in place thereof the following paragraph:

“The commission shall consist of the following members or their designees: the house and senate chairs of the joint committee on education, who shall serve as co-chairs; the house and senate chairs of the joint committee on children, families and persons with disabilities; 1 member of the house as appointed by the minority leader of the

house of representatives; 1 member of the senate as appointed by the minority leader of the senate; the commissioner of elementary and secondary education; the commissioner of public health; the commissioner of developmental disabilities; the commissioner of mental health; a representative of the commission for the blind; a representative of the commission for the deaf and hard of hearing; and 1 person representing each of the following organizations: the Massachusetts Administrators for Special Education, the Urban Superintendents Group, the Massachusetts Organization of Educational Collaboratives, the Massachusetts Association of 766 Approved Private Schools, the Massachusetts Advocates for Children, the Federation for Children with Special Needs, Massachusetts Developmental Disabilities Council, and the Massachusetts Head Injury Foundation.”;

In section 46D, (inserted by amendment) by striking out the second paragraph and inserting in place thereof the following paragraph:

“The commission shall consist of the following members or their designees: 5 persons appointed by the governor, 1 of whom shall be designated by the governor to serve as chair, 1 of whom shall have expertise in finance and investment, and 3 of whom shall be parents or guardians of current college students; 1 member of the senate to be appointed by the senate president; 1 member of the senate to be appointed by the senate minority leader; 1 member of the house of representatives to be appointed by the speaker; 1 member of the house of representatives to be appointed by the minority leader; a representative from the University of Massachusetts office of the president; a representative from the University of Massachusetts director of libraries; 2 members of the Student Advisory Council; a representative from the Massachusetts Office of Financial Assistance; the commissioner of higher education, or a designee; a member of the board of higher education; a representative of the Massachusetts State College Association; a representative of the Massachusetts Community Colleges Executive Office; a representative from the Massachusetts State University Council of Presidents; a representative from the Pioneer Institute; a member of the Massachusetts Society of Certified Public Accountants; and a member of the Association of Independent Colleges and Universities in Massachusetts.”;

By inserting after section 31 the following section:  
“SECTION 31A. Notwithstanding any general or special law to the contrary, the comptroller shall, on or before August 1, 2016, transfer \$2,500,000 from the General Fund to the trust established pursuant to section 2 of chapter 496 of the acts of 2014.”; and

In section 49 by striking out the following: “Section 18” and inserting in place thereof the following: “Sections 18 and 19C”.

The amendments were adopted.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Ultrino of Malden asked for a count to ascertain if a quorum was present. The Chair (Mr. Donato of Medford), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call (the Speaker being in the Chair) 152 members were recorded as being in attendance.

**[See Yea and Nay No. 243 in Supplement.]**

Therefore a quorum was present.

Quorum.

Quorum,—  
yea and nay  
No. 243.

Subsequently a statement of Mr. Holmes of Boston was spread upon the records of the House, as follows:

Statement of  
Mr. Holmes  
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous quorum roll call I was absent from the House Chamber on official legislative business outside of the State House, and therefore I was not recorded as being in attendance.

Bill passed to  
be engrossed,—  
yea and nay  
No. 244.

After remarks on the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Dempsey of Haverhill; and on the roll call 156 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 244 in Supplement.]**

Therefore the bill, as amended, was passed to be engrossed. Mr. Dempsey moved that this vote be reconsidered; and the motion was considered forthwith; and it was negatived. The bill (House, No. 4201, published as amended) then was sent to the Senate for concurrence.

Subsequently a statement of Mr. Holmes of Boston was spread upon the records of the House, as follows:

Statement of  
Mr. Holmes  
of Boston.

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I was absent from the House Chamber on official legislative business outside of the State House. Had I been present I would have voted in the affirmative.

*Order.*

On motion of Mr. Mariano of Quincy,—

Next  
sitting.

*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at eleven o'clock A.M.

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At twenty minutes before four o'clock P.M. (Wednesday, April 27), on motion of Mrs. Haddad of Somerset (the Speaker being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.