

JOURNAL OF THE HOUSE.

Thursday, July 7, 2016.

Met according to adjournment at eleven 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).

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.

Resignation of Representative Bradley of Hingham.

The following communication was read; and spread upon the records of the House, as follows:

July 5, 2016.

The Honorable Steven T. James
Clerk of the House of Representatives
The Massachusetts State House
Room 145
Boston, MA 02133

Dear Mr. Clerk:

I am writing to inform you that after careful consideration and consultation with my family and friends, I announce my resignation as State Representative from the Massachusetts House of Representatives effective at the end of formal sessions August 1, 2016. Resignation of
Representative
Garrett J.
Bradley of
Hingham.

I have had the great honor and privilege to represent the people of the Third Plymouth District over the past 16 years. During this time, I have always sought to give my constituents and colleagues at the State House my full dedication and effort. However, looking ahead to the balance of this year and the next two years of service, I have some exciting professional opportunities at my law practice which have only recently arisen that will require much more of my attention as well as consistent travel out of state and out of the country.

I want to thank my colleagues, staff, friends and family for their support and guidance. I want to thank Speaker DeLeo for his friendship and incredible opportunity to serve on his leadership team. Most especially I want to thank my constituents for the true honor they have given me to serve them these past 16 years.

Sincerely yours,

GARRETT J. BRADLEY,
State Representative,
Third Plymouth District.

Statement of Representative Mr. Devers of Lawrence.

A statement of Mr. Devers of Lawrence was spread upon the records of the House, as follows:

Statement of Mr. Devers of Lawrence.

MR. SPEAKER: I would like to call to the attention of the House the fact that I cannot be present in the House Chamber for the remainder of today's sitting due to an engagement that I have previously committed to attending in my district. If I could be present for the taking of the yeas and nays on passing to be engrossed the House Bill relative to job creation, workforce development and infrastructure investment (House, No. 4461), I would vote in the affirmative. My missing of roll calls for the remainder of today's sitting will be due entirely to the reason stated.

Statement of Representative Ms. Peisch of Wellesley.

A statement of Ms. Peisch of Wellesley was spread upon the records of the House, as follows:

Statement of Ms. Peisch of Wellesley.

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 sittings of Wednesday, June 29 and Thursday, June 30 due to a previously scheduled commitment connected with my duties as House Chair of the committee on Education. If I had been present on June 29, I would have voted in the affirmative to Roll Call Nos. 287 and 288; and if I could have been present on June 30, I would have voted in the affirmative on Roll Call Nos. 289 and 290. My missing of roll calls on June 29 and June 30 was due entirely to the reason stated.

Statement of Representative Sannicandro of Ashland.

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

Statement of Mr. Sannicandro of Ashland.

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 after 4 p.m. for the June 1, 2016 sitting due to legislative related business outside of the Commonwealth. If I had been present for the questions on adoption of amendments on Roll Call Nos. 272, 273, 274 and 275, I would have voted in the negative, in each instance. On Roll Call No. 276, on passing to be engrossed the Bill relative to equal access to public places regardless of gender identity, I would have voted in the affirmative. I would also like to call to the attention of the House the fact that I was not present in the House Chamber for the sitting of Wednesday, June 8, 2016 due to personal business outside of the country. If I had been present for the taking of Roll Call No. 277, on passing to be engrossed the House Bill promoting energy diversity (House, No. 4377), I would have voted in the affirmative. My missing of Roll Call Nos. 272 to 276, inclusive, on June 1, and Roll Call No. 277 on June 8 was due entirely to the reasons stated.

Statement of Representative Whipps Lee of Athol.

A statement of Mrs. Whipps Lee of Athol was spread upon the records of the House, as follows:

Statement of Mrs. Whipps Lee of Athol.

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 sitting of Wednesday, June 1, 2016, due to a long-standing and previously scheduled legislative trip that took me out of the Commonwealth. If I had been present that day, I would have voted in the affirmative on Roll Call No. 276, on passing to be engrossed the Bill relative to equal

access to public places regardless of gender identity. My missing of roll calls on Wednesday, June 1, was due entirely to the reason stated.

Resolutions.

Resolutions (filed with the Clerk by Mr. Tucker of Salem) commending Salem United, Inc. on its celebration of the Black Picnic, were referred under Rule 85, to the committee on Rules.

Salem United,— Black Picnic.

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

Order.

Mrs. Haddad of Somerset being in the Chair,— The following order (filed by Mr. Michlewitz of Boston) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Wednesday, July 27, 2016, within which time to make its final report on current Senate document numbered 551, and House documents numbered 866, 891, 958, 3488, and 4148.

Financial Services committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4471), ought to be adopted. Under suspension of the rules, on motion of Mr. Michlewitz, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Representative McKenna of Webster and Senator Fattman, a joint petition (accompanied by bill, House, No. 4475) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) that the town of Webster be authorized to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Webster,— liquor license.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4476) of David T. Vieira and Timothy R. Madden (by vote of the town) that the town of Falmouth retirement board be authorized to increase the accidental disability retirement allowance paid to John R. Busby, Jr., a police officer of said town. To the committee on Public Service.

Falmouth,— John R. Busby, Jr.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mrs. Haddad of Somerset, a petition (subject to Joint Rule 12) of Patricia A. Haddad and Michael J. Rodrigues for legislation to designate a certain boat launch in the town of Somerset as the William and Harold Meehan memorial boat launch.

Somerset,— Meehan boat launch.

Gas pipelines,— contracts.

By Messrs. Timilty of Milton and Rogers of Norwood, a petition (subject to Joint Rule 12) of Walter F. Timilty, John H. Rogers and others relative gas pipeline contracts. Severally, under Rule 24, to the committee on Rules.

Papers from the Senate.

Mr. Donato of Medford being in the Chair,—

Ride for hire.

The House Bill relative to the ride for hire industry (House, No. 4064), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2398; and striking out the title and inserting in place thereof the following title: "An Act regulating transportation network companies".

Conference committee.

Under suspension of Rule 35, on motion of Mr. Michlewitz of Boston, the amendments were considered forthwith. The House then non-concurred with the Senate in its amendments; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Michlewitz, Mariano of Quincy and Hill of Ipswich were appointed the committee on the part of the House. Sent to the Senate to be joined.

Energy diversity.

The House Bill to promote energy diversity (House, No. 4385), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2400.

Conference committee.

Under suspension of Rule 35, on motion of Mr. Golden of Lowell, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on motion of Mr. Dempsey of Haverhill, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Dempsey, Golden and Jones of North Reading were appointed the committee on the part of the House. Sent to the Senate to be joined.

Campaign contributions,— limits.

The House Bill relative to campaign contribution limits for certain candidates running for office in a state election (House, No. 542, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment 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 provide forthwith for candidates who run in a special election and a regularly scheduled election in the same year to collect the maximum contribution from donors for each contest, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Campaign contributions,— disclosure requirements.

The House Bill relative to disclosure of top contributors for independent expenditures or electioneering communications (House, No. 543), came from the Senate passed to be engrossed, in concurrence, with an

amendment 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 provide forthwith voters with a clearer understanding of the source of funding for political advertisements, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Bills

Authorizing the board of directors of Metacomet Emergency Communications Center to accept Chapter 32B of the General Laws (Senate, No. 1928) (on a petition);

Metacomet,— communications center.

Improving vocational training opportunities for unemployed workers (Senate, No. 2405) (on Senate bill No. 969); and

Unemployment training.

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Shrewsbury (Senate, No. 2406) (on Senate bill No. 2133);

Shrewsbury,— land.

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A report of the committee on Health Care Financing, asking to be discharged from further consideration of the Senate Bill establishing a family and medical leave and temporary disability leave insurance program (printed as House, No. 4351), and recommending that the same be referred to the Senate committee on Ways and Means,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence, inasmuch as relates to the discharge of the committee.

Leave insurance programs.

Bills

Enhancing courthouse security (Senate, No. 940) (on a petition); and

Courthouses.

Relative to respiratory therapy (Senate, No. 1150) (on a petition); 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.

Respiratory therapy.

A petition (accompanied by bill, Senate, No. 2397) of Donald F. Humason, Jr. and Nicholas A. Boldyga (with approval of the mayor and city council) for legislation relative to the leadership and governance of the city known as the town of Agawam, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Agawam,— school committee vacancies.

Reports of Committees.

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 Keiko M. Orrall, Christopher M. Markey and Marc R. Pacheco for legislation to establish a sick leave bank for Jamie Mascarello, an employee of the Office of the Commissioner of Probation. Under suspension of the rules, on motion of Mrs. Orrall of Lakeville, the report was considered forthwith. Joint Rule 12 was

Jamie Mascarello,— sick leave.

suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

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 James M. Kelcourse and Leonard Mirra for legislation to designate the south bound section of the Interstate 95 bridge between the city of Amesbury and the city of Newburyport as the William Lloyd Garrison bridge. Under suspension of the rules, on motion of Mr. Kelcourse of Amesbury, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Transportation. Sent to the Senate for concurrence.

Amesbury/
Newburyport
bridge.

By Ms. Hogan of Stow, for the committee on Public Health, asking to be discharged from further consideration:

Nurse
practitioners.

Of the petition (accompanied by bill, House, No. 1889) of Jennifer E. Benson and others relative to the independent practice of advanced practice registered nursing by nurse practitioners;

Of the petition (accompanied by bill, House, No. 2031) of Sarah K. Peake, Ann-Margaret Ferrante and others for legislation to increase power plant safety preparedness by the Department of Public Health to twenty miles; and

Power plant,—
safety.

Of the petition (accompanied by resolve, House, No. 2032) of Sarah K. Peake and others for an investigation by a special commission (including members of the General Court) relative to the health impacts from wind turbines and protecting the health of the citizens of the Commonwealth.

Wind
turbines,—
study.

And recommending that the same be referred to the committee on Ways and Means.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence inasmuch as relates to the discharge of the joint committee.

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

Newton,—
special police.

Relative to special police officers in the city of Newton (House, No. 3885) [Local Approval Received];

Boston,—
land.

Conveying a certain parcel of land on East First Street in the South Boston neighborhood of the city of Boston (House, No. 4293);

Jennifer
Gay.

Establishing a sick leave bank for Jennifer Gay, an employee of the Department of Developmental Services (House, No. 4366);

Mansfield,—
police
cadets.

Authorizing the appointing authority of the town of Mansfield to appoint police cadets under certain circumstances to the police department of said town (House, No. 4376) [Local Approval Received];

Marblehead,—
land.

Amending chapter 101 of the acts of 1965, an act establishing the old and historic district commission of the town of Marblehead (House, No. 4380) [Local Approval Received];

Littleton,—
liquor
license.

Authorizing the town of Littleton to grant an additional license for the sale of all alcoholic beverages not to be drunk on premises (House, No. 4453) [Local Approval Received]; and

Relative to simulcasting and racing days (House, No. 4459);

Simulcasting.

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.

Mr. Donato of Medford being in the Chair,—

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

Increasing the property tax deferral for seniors (Senate, No. 1494, amended);

Property
taxes.
Salisbury.

Authorizing the town of Salisbury to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2201) [Local Approval Received]; and

Establishing a sick leave bank for John DiPaolo, an employee of the Middlesex County Sheriff's Office (House, No. 4386).

John
DiPaolo,—
sick leave.

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.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the House Bill creating a task force on Massachusetts older adults of all incomes (House, No. 4155), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Older
adults,—
study.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by substitution of a bill with the same title (House, No. 4460),— was adopted; and the substituted bill was ordered to a third reading.

By Mr. Nangle of Lowell, for the committee on Steering, Policy and Scheduling, that the Senate Resolve establishing the special commission on local and regional public health (Senate, No. 2296, amended), be scheduled for consideration by the House, with the amendment previously recommended by the committee on Ways and Means pending.

Public
health,—
study.

Under suspension of Rule 7A, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Ways and Means,— that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4458,— was adopted; and the resolve, as amended, was ordered to a third reading.

By Ms. Benson of Lunenburg, for the committee on Consumer Protection and Professional Licensure, on House, No. 172, a Bill to establish standards for medical gas piping systems (House, No. 4467).

Medical
gas pipes.

By Ms. Hogan of Stow, for the committee on Public Health, on a petition, a Bill relative to the practice of athletic training (House, No. 1912).

Athletic
training.

By the same member, for the same committee, on a petition, a Bill relative to firefighters (House, No. 1926).

Firefighters.

Pharmacy services.— By the same member, for the same committee, on a petition, a Bill to improve access to pharmacy services in hospitals (House, No. 1971).

Optometric care.— By the same member, for the same committee, on House, Nos. 1973 and 1983, a Bill relative to the modernization of optometric patient care (House, No. 1973).

Cars, etc.,—smoking.— By the same member, for the same committee, on a petition, a Bill to protect little lungs (House, No. 1976).

Rare disease council.— By the same member, for the same committee, on a petition, a Bill to create a Massachusetts rare disease advisory council (House, No. 1977).

Patients and nurses.— By the same member, for the same committee, on a petition, a Bill to promote patient care transparency and nurse advancement (House, No. 1995).

Nursing board.— By the same member, for the same committee, on a petition, a Bill creating a nursing advisory board (House, No. 1999).

Health planning.— By the same member, for the same committee, on a petition, a Bill to improve health planning and public health (House, No. 2013).

Pharmacists.— By the same member, for the same committee, on a petition, a Bill recognizing pharmacists as healthcare providers (House, No. 2041).

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

Northampton,—land.— By Mr. Kocot of Northampton, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain land in the city of Northampton (House, No. 4423).

Boston,—land.— By the same member, for the same committee, on House, No. 4295, a Bill concerning a certain parcel of land in the city of Boston (House, No. 4468).

Chesterfield,—land.— By the same member, for the same committee, on House, No. 3521, a Bill to convey a certain parcel of land in the town of Chesterfield (House, No. 4469).

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

Telemedicine.— By Mr. Sánchez of Boston, for the committee on Health Care Financing, on House, No. 267, a Bill advancing and expanding access to telemedicine services (House, No. 4442).

Speed limits.— By Mr. Straus of Mattapoisett, for the committee on Transportation, on House, No. 3038, a Bill relative to speed limits (House, No. 4470).

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

Recess.

Recess.— At twenty-five minutes before twelve o'clock noon, on motion of Mrs. Gifford of Wareham (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Engrossed Bills — Land Takings.

Lynnfield,—land.— The engrossed Bill authorizing the conveyance of a certain parcel of land in the town of Lynnfield (see House, No. 3834, amended) (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.

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 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 291 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to Nickerson State Park (see House, No. 4451) (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.

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 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 292 in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

Mrs. Haddad of Somerset being in the Chair,—

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4343, amended) of the Senate Bill relative to transgender anti-discrimination (Senate, No. 735, amended),— recommending the passage of a bill with the same title (Senate, No. 2407),— came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Mr. Fernandes of Milford, the report (having been reported by the committees on Bills in the Third Reading of the two branches to be correctly drawn) was considered forthwith.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 118 members voted in the affirmative and 36 in the negative.

[See Yea and Nay No. 293 in Supplement.]

Therefore the report of the committee of conference was accepted, in concurrence.

Bill enacted (land taking),—yea and nay No. 291.

Nickerson State Park.

Bill enacted (land taking),—yea and nay No. 292.

Transgender discrimination.

Conference committee report accepted,—yea and nay No. 293.

Engrossed Bill.

Mr. Donato of Medford being in the Chair,—

Medford,—
land.
The engrossed Bill authorizing the city of Medford to use certain land for any municipal purpose (see House, No. 4246) (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. 294.
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 154 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 294 in Supplement.]

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

Matters Discharged from the Orders of the Day.

Veterans,—
housing, etc.
The Senate amendment of the House Bill relative to housing, operations, military service, and enrichment (House, No. 4285, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Parisella of Beverly.

Pending the question on adoption of the amendment, in concurrence, the same member moved that the House concur with the Senate in its amendment with a further amendment by striking out all after the enacting clause and inserting in place there of the text contained in House document numbered 4477; and the further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Subsequently the bill came from the Senate with the endorsement that said branch had concurred with the House in its further amendment with a still further amendment, 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 further provide for the housing, operations, military service and enrichment of veterans, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The still further amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Subsequently said committee reported that the still further amendment was correctly drawn; and it was adopted, in concurrence.

Revere,—
land.
The Senate Bill concerning the conveyance of certain parcels of land in the city of Revere (Senate, No. 2353), was discharged from its position in the Orders of the Day, under suspension of Rule 47, on motion of Ms. Vincent of Revere, and it was read a second time; and ordered to a third reading.

Subsequently under suspension of the rules, on motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence, its title having been changed by said committee to read: "An Act authorizing the transfer of certain land of the Massachusetts Bay Transportation Authority in the city of Revere to the city of Revere."

Emergency Measure.

Mr. Mariano of Quincy being in the Chair,— There being no objection, the engrossed Bill relative to housing, operations, military service, and enrichment (see House, No. 4285, amended), 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.

Veterans,—
housing, etc.

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 42 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), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

After debate on the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays at the request of Mr. Parisella of Beverly; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted,—
yea and nay
No. 296.

[See Yea and Nay No. 296 in Supplement.]

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

Orders of the Day.

The Senate amendments of the House Bill further regulating the sale of alcoholic beverages in the city of Somerville (House, No. 4184, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, were adopted, in concurrence.

Somerville,—
liquor
license.

Senate bills
Relative to the establishment of a county stabilization fund (Senate, No. 1064);

Third
reading
bills.

Authorizing the town of Andover school district to convey a certain parcel of land (Senate, No. 1983); and

Establishing a sick leave bank for Jodi Paris Anastos, an employee of Operational Services Division (Senate, No. 2312);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed, in concurrence.

House bills
Authorizing the Department of Fish and Game to acquire land of the town of Townsend (House, No. 3748, amended);
Relative to diabetes prevention (House, No. 3871);

Third reading bills.

Relative to the conveyance of a certain parcel of land in the town of Foxborough to the Foxborough housing authority (House, No. 3938) (its title having been changed by the committee on Bills in the Third Reading); and

Authorizing the city of Holyoke to establish a program for enforcement against illegal dumping (House, No. 4262);

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

Second reading bill.

The House Bill relative to increasing fines for safety violations (House, No. 4105), was read a second time; and it was ordered to a third reading.

West Bridgewater,—liquor licenses.

The Senate Bill authorizing the town of West Bridgewater to grant 1 additional license for the sale of all alcoholic beverages to be drunk on the premises and 1 additional license for the sale of all alcoholic beverages not to be drunk on the premises (Senate, No. 2292), 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. Speliotis of Danvers moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4478.

The amendment was adopted; and the bill (Senate, No. 2292, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment adopted by the House.

Salem Harbor Port Authority.

The House Bill authorizing the city of Salem to establish the Salem Harbor Port Authority (House, No. 3894, changed), 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. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4479), which was read.

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

New Bedford,—liquor license.

The House Bill authorizing the city of New Bedford to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 4306) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in section 1 by adding the following sentence: "If the license is returned to the licensing authority pursuant to this subsection, it shall not be reissued."

The amendment was adopted; and the bill (House, No. 4306, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Mrs. Haddad of Somerset being in the Chair,—

The House Bill establishing a sick leave bank for Michelle Kannler, an employee of the Department of Public Health (House, No. 4437), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Michelle Kannler,—sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it 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 sick leave bank for a certain employee of the department of public health, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience."

The amendment was adopted; and the bill (House, No. 4437, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill relative to job creation, workforce development and infrastructure investment (House, No. 4461), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

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After remarks on the question on passing the bill to be engrossed (Mr. Donato of Medford being in the Chair), Mr. Collins of Boston and other members of the House moved to amend it by adding the following two sections:

"SECTION 112. Section 6 of Chapter 62 of the General Laws, as appearing in the 2008 Official Edition, is further amended by adding the following subsection:

(t) There shall be established a live theater tax credit program under which a live theater company doing business with a Massachusetts based theater venue, theater company, theater presenter or producer may be eligible. The credit may be claimed against the taxes due pursuant to this chapter or Chapter 63. The credit shall be established to support the expansion of pre-Broadway, pre off-Broadway live theater, Broadway tour launches and World Premieres and shall assist in the development of long run show development and growth.

(1) As used in this section the following words shall, unless the context clearly requires otherwise, have the following meanings:

'Commissioner' means the commissioner of revenue.

'Company' means a live theater company, however organized.

'Eligible theater production' means a live stage musical or theatrical production or tour being presented in a qualified production facility, as defined in this chapter that is either: (a) a Pre-Broadway production, or (b) a pre off-Broadway production, or (c) a Broadway Tour Launch or (d) a World Premiere.

'Eligible theater production certificate' means a certificate issued by the Massachusetts Office of Travel and Tourism certifying that the production is an eligible theater production that meets the guidelines of this chapter.

'Advertising and public relations expenditure' means costs incurred within the state by the Eligible theater productions for goods or services related to the marketing, public relations, creation and placement

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of print, electronic, television, billboards and other forms of advertising to promote the Eligible theater production.

'Office' means the Massachusetts office of travel and tourism.

'Payroll' means all salaries, wages, fees, and other compensation wages including, but not limited to, taxes, benefits, and any other consideration incurred or paid to talent and non-talent employees of the applicant who are residents of the commonwealth of Massachusetts for services rendered to and on behalf of an eligible theater production. The expenditure shall be incurred or paid by the applicant for services related to any portion of an eligible theater production from its pre-production stages, including, but not limited to, (a) the writing of the script, (b) casting, (c) hiring of service providers, (d) purchases from vendors, (e) marketing, (f) advertising, (g) public relations, (h) load in, (i) rehearsals, (j) performances, (k) other eligible theater production related activities, (l) load out; provided further, said labor expenditure shall be directly attributable to the eligible theater production and shall be limited to the first \$100,000 of wages incurred or paid to each employee of an eligible theater production in each tax year.

'Pre-Broadway Production' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City's Broadway theater district within (12) months after its Massachusetts presentation.

'Pre-Off Broadway Production' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City's Off-Broadway's theater district within (12) months after its Massachusetts presentation.

'Broadway Tour Launch' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility that was originally presented in New York City's Broadway theater district and opens its US tour in Massachusetts.

'Production and Performance Expenditures' means a contemporaneous exchange of cash or cash equivalent for goods or services related to development, production, performance or operating expenditures incurred in this state for a qualified theater production including, but not limited to, expenditures for design, construction and operation, including sets, special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with sound, lighting, staging, payroll, transportation expenditures, advertising and public relations expenditures, facility expenses, rentals, per diems, accommodations and other related costs.

'Qualified Production Facility' means a facility located in the State of Massachusetts in which live theatrical productions are, or are intended to be, exclusively presented that contains at least one stage, a seating capacity of three hundred fifty (350) or more seats, and dressing rooms, storage areas, and other ancillary amenities necessary for the Eligible theater production.

'Massachusetts Office of Travel and Tourism' means the office within the secretariat of economic development that has been established in order to market Massachusetts as a leisure travel destination in order to generate state and local tax revenues, create jobs, and support travel-related businesses.

'Transportation expenditures' means expenditures for the packaging, crating, and transportation both to the state for use in a qualified theater production of sets, costumes, or other tangible property constructed or manufactured out of state, and/or from the state after use in a qualified theater production of sets, costumes, or other tangible property constructed or manufactured in this state and the transportation of the cast and crew to and from the state. Such term shall include the packaging, crating, and transporting of property and equipment used for special and visual effects, sound, lighting, and staging, costumes, wardrobes, make-up and related accessories and materials, as well as any other performance or production-related property and equipment.

'World Premiere' means a live stage production performed in a qualified production facility of an original work which has never been commercially presented in public before.

(2) Any person, firm, partnership, trust, estate or other entity that receives an eligible theater production certificate shall be allowed a tax credit equal to thirty-five percent (35%) of production and performance expenditures which shall consist of payroll and twenty-five percent (25%) of the production and performance expenditures and transportation expenditures for the eligible theater production and to be computed as provided in this chapter against a tax imposed by this chapter. Said credit shall not exceed five million dollars (\$5,000,000) and shall be limited to certified production cost directly attributable to activities in the state and transportation expenditures defined above. The total production budget shall be a minimum of one hundred thousand dollars (\$100,000).

(3) No more than five million dollars (\$5,000,000) in total may be issued for any tax year for musical and theatrical production tax credits pursuant to this chapter.

(4) The tax credit shall be allowed against the tax for the taxable period in which the credit is earned and can be carried forward for not more than five (5) succeeding tax years.

(5) Credits allowed to a company, which is a subchapter S corporation, partnership, or a limited liability company that is taxed as a partnership, shall be passed through respectively to persons designated as partners, members or owners of such companies on a pro rata basis or pursuant to an executed agreement among such persons designated as subchapter S corporation shareholders, partners, or members documenting an alternate distribution method without regard to their sharing of other tax or economic attributes of such entity.

(6) If the company has not claimed the tax credits in whole or part, taxpayers eligible for the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity and such assignee of the tax credits that have not claimed the tax credits in whole or part may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity. The assignee of the tax credits may use acquired credits to offset up to one hundred percent (100%) of the tax liabilities otherwise imposed pursuant to this chapter or Chapter 63, as appropriate. The assignee may apply the tax credit against taxes imposed on the assignee for not more than three (3) succeeding tax years. The assignor shall perfect the transfer by notifying the commissioner of revenue, in writing, within

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thirty (30) calendar days following the effective date of the transfer and shall provide any information as may be required by the commissioner to administer and carry out the provisions of this section.

(7) For purposes of this chapter, any assignment or sales proceeds received by the assignor for its assignment or sale of the tax credits allowed pursuant to this section and Section 38GG of Chapter 63 shall be exempt from this title.

(8) In the case of a corporation, this credit is only allowed against the tax of a corporation included in a consolidated return that qualifies for the credit and not against the tax of other corporations that may join in the filing of a consolidated tax return, provided, however, that in the case of a corporation that files a consolidated return with one or more other corporations with operations in Massachusetts, the credit will be allowed to be included in a consolidated return with respect to such corporations with operations in Massachusetts only.

(9) The applicant or applicants shall properly prepare, sign and submit to the Massachusetts office of travel and tourism an application for initial certification of the theater production. The application shall include such information and data as the office deems reasonably necessary for the proper evaluation and administration of said application, including, but not limited to, any information about the theater production company or their related partners/presenters and a specific Massachusetts live theater or musical production. The office shall review the completed applications and determine whether it meets the requisite criteria and qualifications for the initial certification for the production and/or presentation. If the initial certification is granted, the office shall issue a notice of initial certification of the eligible theater production and/or presentation to the theater production company, co-producer or presenter and to the commissioner. The notice shall state that, after appropriate review, the initial application meets the appropriate criteria for conditional eligibility. The notice of initial certification will provide a unique identification number for the production/presentation and is only a statement of conditional eligibility for the production/presentation and, as such, does not grant or convey any Massachusetts tax benefits.

(10) Upon completion of an eligible theater production, the applicant or applicants shall properly prepare, sign and submit to the office an application for final certification of the eligible theater production. The final application shall also contain a cost report and an 'accountant's certification.' The office and commissioner may rely without independent investigation, upon the accountant's certification, in the form of an opinion, confirming the accuracy of the information included in the cost report. Upon review of a duly completed and filed application and upon no later than thirty (30) days of submission thereof, the commissioner will make a determination pertaining to the final certification of the eligible theater production and the resultant tax credits.

(11) Upon completion of an eligible theater production, the applicant or applicants shall deposit an amount equal to 15% of the tax credits received pursuant to this chapter into the Massachusetts Cultural Council Facilities Fund. The Massachusetts Cultural Council shall use these funds to address issues related to the workforce development and sustainability of the Massachusetts live theater industry.

(12) Upon determination that the company qualifies for final certification and the resultant tax credits, the commissioner shall issue to the company: (1) an eligible theater production certificate; and (2) a tax credit certificate in an amount in accordance with this section (b) hereof. A musical and theatrical production company is prohibited from using state funds, state loans or state guaranteed loans to qualify for the live theater infrastructure tax credit. All documents that are issued by the office pursuant to this section shall reference the identification number that was issued to the production as part of its initial certification.

(13) The Massachusetts office of travel and tourism, in consultation as needed with the commissioner of revenue, shall promulgate such rules and regulations as are necessary to carry out the intent and purposes of this chapter in accordance with the general guidelines provided herein for the certification of the production and the resultant production credit.

(14) If information comes to the attention of the Massachusetts Office of Travel and Tourism that is materially inconsistent with representations made in an application, the office may deny the requested certification. In the event that tax credits or a portion of tax credits are subject to recapture for ineligible costs and such tax credits have been transferred, assigned and/or allocated, the state will pursue its recapture remedies and rights against the applicant of the theater production tax credits. No redress shall be sought against assignees, sellers, transferees or allocates of such credits.

(15) No credits shall be issued on or after January 1, 2022 unless the production has received initial certification under this section prior to January 1, 2022.

SECTION 112A. Chapter 63 of the General Laws, as appearing in the 2008 Official Edition, is further amended by adding the following section:

Section 38GG. There shall be established a live theater tax credit program under which a live theater company doing business with a Massachusetts based theater venue, theater company, theater presenter or producer may be eligible. The credit may be claimed against the taxes due pursuant to this chapter or Chapter 62. The credit shall be established to support the expansion of pre-Broadway, pre off-Broadway live theater, Broadway tour launches and World Premieres and shall assist in the development of long run show development and growth.

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

'Commissioner' means the commissioner of revenue.

'Company' means a live theater company, however organized.

'Eligible theater production' means a live stage musical or theatrical production or tour being presented in a qualified production facility, as defined in this chapter that is either: (a) a Pre-Broadway production, or (b) a pre off-Broadway production, or (c) a Broadway Tour Launch or (d) a World Premiere.

'Eligible theater production certificate' means a certificate issued by the Massachusetts Office of Travel and Tourism certifying that the production is an eligible theater production that meets the guidelines of this chapter.

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'Advertising and public relations expenditure' means costs incurred within the state by the Eligible theater productions for goods or services related to the marketing, public relations, creation and placement of print, electronic, television, billboards and other forms of advertising to promote the Eligible theater production.

'Office' means the Massachusetts office of travel and tourism.

'Payroll' means all salaries, wages, fees, and other compensation wages including, but not limited to, taxes, benefits, and any other consideration incurred or paid to talent and non-talent employees of the applicant who are residents of the commonwealth of Massachusetts for services rendered to and on behalf of an eligible theater production. The expenditure shall be incurred or paid by the applicant for services related to any portion of an eligible theater production from its pre-production stages, including, but not limited to, (a) the writing of the script, (b) casting, (c) hiring of service providers, (d) purchases from vendors, (e) marketing, (f) advertising, (g) public relations, (h) load in, (i) rehearsals, (j) performances, (k) other eligible theater production related activities, (l) load out; provided further, said labor expenditure shall be directly attributable to the eligible theater production and shall be limited to the first \$100,000 of wages incurred or paid to each employee of an eligible theater production in each tax year.

'Pre-Broadway Production' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City's Broadway theater district within (12) months after its Massachusetts presentation.

'Pre-Off Broadway Production' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility having a presentation scheduled for New York City's Off-Broadway's theater district within (12) months after its Massachusetts presentation.

'Broadway Tour Launch' means a live stage production that, in its original or adaptive version, is performed in a qualified production facility that was originally presented in New York City's Broadway theater district and opens its US tour in Massachusetts.

'Production and Performance Expenditures' means a contemporaneous exchange of cash or cash equivalent for goods or services related to development, production, performance or operating expenditures incurred in this state for a qualified theater production including, but not limited to, expenditures for design, construction and operation, including sets, special and visual effects, costumes, wardrobes, make-up, accessories, costs associated with sound, lighting, staging, payroll, transportation expenditures, advertising and public relations expenditures, facility expenses, rentals, per diems, accommodations and other related costs.

'Qualified Production Facility' means a facility located in the State of Massachusetts in which live theatrical productions are, or are intended to be, exclusively presented that contains at least one stage, a seating capacity of three hundred fifty (350) or more seats, and dressing rooms, storage areas, and other ancillary amenities necessary for the Eligible theater production.

'Massachusetts Office of Travel and Tourism' means the office within the secretariat of economic development that has been established in order to market Massachusetts as a leisure travel destination in order to generate state and local tax revenues, create jobs, and support travel-related businesses.

'Transportation expenditures' means expenditures for the packaging, crating, and transportation both to the state for use in a qualified theater production of sets, costumes, or other tangible property constructed or manufactured out of state, and/or from the state after use in a qualified theater production of sets, costumes, or other tangible property constructed or manufactured in this state and the transportation of the cast and crew to and from the state. Such term shall include the packaging, crating, and transporting of property and equipment used for special and visual effects, sound, lighting, and staging, costumes, wardrobes, make-up and related accessories and materials, as well as any other performance or production-related property and equipment.

'World Premiere' means a live stage production performed in a qualified production facility of an original work which has never been commercially presented in public before.

(b) Any person, firm, partnership, trust, estate or other entity that receives an eligible theater production certificate shall be allowed a tax credit equal to thirty-five percent (35%) of production and performance expenditures which shall consist of payroll and twenty-five percent (25%) of the production and performance expenditures and transportation expenditures for the eligible theater production and to be computed as provided in this chapter against a tax imposed by this chapter. Said credit shall not exceed five million dollars (\$5,000,000) and shall be limited to certified production cost directly attributable to activities in the state and transportation expenditures defined above. The total production budget shall be a minimum of one hundred thousand dollars (\$100,000).

(c) No more than five million dollars (\$5,000,000) in total may be issued for any tax year for musical and theatrical production tax credits pursuant to this chapter or chapter 62.

(d) The tax credit shall be allowed against the tax for the taxable period in which the credit is earned and can be carried forward for not more than five (5) succeeding tax years.

(e) If the company has not claimed the tax credits in whole or part, taxpayers eligible for the tax credits may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity and such assignee of the tax credits that have not claimed the tax credits in whole or part may assign, transfer or convey the tax credits, in whole or in part, by sale or otherwise to any individual or entity. The assignee of the tax credits may use acquired credits to offset up to one hundred percent (100%) of the tax liabilities otherwise imposed pursuant to this chapter or Chapter 62, as appropriate. The assignee may apply the tax credit against taxes imposed on the assignee for not more than three (3) succeeding tax years. The assignor shall perfect the transfer by notifying the commissioner of revenue, in writing, within thirty (30) calendar days following the effective date of the transfer and shall provide any information as may be required by the commissioner to administer and carry out the provisions of this section.

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(f) For purposes of this chapter, any assignment or sales proceeds received by the assignor for its assignment or sale of the tax credits allowed pursuant to this section and subsection (t) of section 6 of Chapter 62 shall be exempt from this title.

(g) In the case of a corporation, this credit is only allowed against the tax of a corporation included in a consolidated return that qualifies for the credit and not against the tax of other corporations that may join in the filing of a consolidated tax return, provided, however, that in the case of a corporation that files a consolidated return with one or more other corporations with operations in Massachusetts, the credit will be allowed to be included in a consolidated return with respect to such corporations with operations in Massachusetts only.

(h) The applicant or applicants shall properly prepare, sign and submit to the Massachusetts office of travel and tourism an application for initial certification of the theater production. The application shall include such information and data as the office deems reasonably necessary for the proper evaluation and administration of said application, including, but not limited to, any information about the theater production company or their related partners/presenters and a specific Massachusetts live theater or musical production. The office shall review the completed applications and determine whether it meets the requisite criteria and qualifications for the initial certification for the production and/or presentation. If the initial certification is granted, the office shall issue a notice of initial certification of the eligible theater production and/or presentation to the theater production company, co-producer or presenter and to the commissioner. The notice shall state that, after appropriate review, the initial application meets the appropriate criteria for conditional eligibility. The notice of initial certification will provide a unique identification number for the production/presentation and is only a statement of conditional eligibility for the production/presentation and, as such, does not grant or convey any Massachusetts tax benefits.

(i) Upon completion of an eligible theater production, the applicant or applicants shall properly prepare, sign and submit to the office an application for final certification of the eligible theater production. The final application shall also contain a cost report and an 'accountant's certification.' The office and commissioner may rely without independent investigation, upon the accountant's certification, in the form of an opinion, confirming the accuracy of the information included in the cost report. Upon review of a duly completed and filed application and upon no later than thirty (30) days of submission thereof, the commissioner will make a determination pertaining to the final certification of the eligible theater production and the resultant tax credits.

(j) Upon determination that the company qualifies for final certification and the resultant tax credits, the commissioner shall issue to the company: (1) an eligible theater production certificate; and (2) a tax credit certificate in an amount in accordance with this section (b) hereof. A musical and theatrical production company is prohibited from using state funds, state loans or state guaranteed loans to qualify for the live theater infrastructure tax credit. All documents that are issued by the office pursuant to this section shall reference the identifi-

cation number that was issued to the production as part of its initial certification.

(k) Upon completion of an eligible theater production, the applicant or applicants shall deposit an amount equal to 15% of the tax credits received pursuant to this chapter into the Massachusetts Cultural Council Facilities Fund. The Massachusetts Cultural Council shall use these funds to address issues related to the workforce development and sustainability of the Massachusetts live theater industry.

(l) The Massachusetts office of travel and tourism, in consultation as needed with the commissioner of revenue, shall promulgate such rules and regulations as are necessary to carry out the intent and purposes of this chapter in accordance with the general guidelines provided herein for the certification of the production and the resultant production credit.

(m) If information comes to the attention of the Massachusetts Office of Travel and Tourism that is materially inconsistent with representations made in an application, the office may deny the requested certification. In the event that tax credits or a portion of tax credits are subject to recapture for ineligible costs and such tax credits have been transferred, assigned and/or allocated, the state will pursue its recapture remedies and rights against the applicant of the theater production tax credits. No redress shall be sought against assignees, sellers, transferees or allocates of such credits.

(n) No credits shall be issued on or after January 1, 2022 unless the production has received initial certification under this section prior to January 1, 2022."

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. Diehl of Whitman; and on the roll call 127 members voted in the affirmative and 27 in the negative.

Amendment
adopted,—
yea and nay
No. 295.

[See Ye and Nay No. 295 in Supplement.]

Therefore the amendment was adopted.

Mr. Mariano of Quincy then moved that the bill be amended by adding the following two sections:

"SECTION 113. Chapter 301 of the acts of 1998, as amended by section 37 of chapter 303 of the acts of 2008, and as further amended by chapter 291 of the acts of 2014, is hereby further amended by striking out, in subsection (c) of section 19, the last sentence and inserting in place thereof the following 5 sentences:—

The preceding three sentences of this section 19(c) shall not apply to any portion of the parkway. Ownership of any completed portion of the parkway, together with ownership of any associated and completed infrastructure including but not limited to public utilities and sewer and storm drain lines located within or adjacent to said portion, shall be transferred to the applicable town, or to the authority, no later than the later of thirty days following the date on which said portion of the parkway is completed or October 1, 2016, as applicable. Prior to the date on which any portion of the parkway is completed and until such date that ownership of said portion is transferred in accordance with the provisions of this section 19(c), said portion shall remain subject to the master developer's control. On or after the date on which any portion of the parkway is completed and ownership of said portion is transferred in

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accordance with the provisions of this Section 19(c), any applicable town, or the authority, may enter into a contract with a governmental person, a nonprofit person or a private person for the operation and maintenance of said portion, together with operation and maintenance of associated infrastructure including but not limited to public utilities and sewer and storm drain lines located within or adjacent to said portion. For purposes of this section 19(c), (i) except for that portion of the parkway constituting 'Parkway-Phase 1' as defined in Article I of the Parkway financing MOA, any portion of the parkway shall be deemed completed on the date on which said portion is open and available for public use, and (ii) that portion of the parkway constituting 'Parkway-Phase 1' as defined in Article I of the Parkway financing MOA shall be deemed to have been completed no later than August 19, 2013.

SECTION 114. Section 44 of chapter 303 of the acts of 2008 is hereby amended by inserting, after the figure '\$43,000,000,' the following words:— excluding bonds issued to refinance bonds previously issued under this section 44.”

The amendment was adopted.

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

“SECTION 115. Subsection (c) of section 233 of chapter 165 of the acts of 2014, as amended by section 30 of chapter 119 of the acts of 2015, is hereby amended by striking out in said subsection (c) ‘December 31, 2016’ and inserting in place thereof ‘June 30, 2017’.”

The amendment was adopted.

Mr. Honan of Boston then moved to amend the bill in section 112 (as published), in line 1908, by striking out the date “October 1, 2016” and inserting in place thereof the date “January 1, 2017.”; and the amendment was adopted.

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

“SECTION 116. The Department of Higher Education is hereby authorized and directed to establish suggested guidelines and protocols in accordance with U.S. Department of Education Regulation 668.164C to encourage and assist Colleges and Universities with the implementation of programs which reduce the cost of college textbooks and other educational materials.”

The amendment was rejected.

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

“SECTION 116. Not less than \$650,000 be dedicated to the renovation of locker rooms at the Max Ulin Memorial Rink in the Town of Milton.”

The amendment was rejected.

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

“SECTION 116. That \$2,300,000 shall be expended for reconstruction of Adams Street from Granite Avenue to the Quincy town line in the town of Milton.”

The amendment was rejected.

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

“SECTION 116. Notwithstanding any general or special law to the contrary, the Mass Bay Transit Authority shall not alter the form or method of transportation for any existing subway line until January 1, 2018. 90 days prior to any such change, the Authority shall notify, in writing, the Clerk of both the House and the Senate of any upcoming change, as well as a detailed analysis of potential cost savings to the Commonwealth.”

After remarks the amendment was rejected.

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

“SECTION 116. Not less than \$20,000,000 to help offset the costs of a new, Department of Environmental Protection mandated, water treatment plant for the Town of Randolph.”

After remarks the amendment was rejected.

Mr. Straus of Mattapoisett then moved to amend the bill by adding the following section:

“SECTION 116. The General Laws, as appearing in the 2014 Official Edition, are hereby amended by adding the following new chapter:—

Chapter 40X.

Supplemental Infrastructure Financing for Transportation.

Section 1. As used in this chapter, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Authority’, the Massachusetts Bay Transportation Authority, and/or a Regional Transit Authority.

‘Base date’, the last assessment date of the real property tax immediately preceding the creation of the SIFT district, or any other assessment date designated as the base date in a SIFT agreement.

‘Department’, the Massachusetts Department of Transportation.

‘Financial plan’, a statement of the costs and sources of revenue required to complete construction of the transportation project, which shall include: (1) cost estimates; (2) the projected amount of indebtedness to be incurred by the municipality, the department and/or the authority; and (3) any other sources of anticipated capital, including but not limited to any federal funding.

‘Original assessed value’, the aggregate assessed value of all properties within the SIFT district as of the base date.

‘Secretary’, the secretary of the Massachusetts Department of Transportation.

‘SIFT agreement’, an agreement entered into by the secretary and a municipality and approved by the municipality in accordance with section 2 authorizing a municipality to collect and remit tax increment revenue in accordance with this chapter and which shall include without limitation: (1) a detailed description of the transportation project to be financed in whole or in part by the SIFT agreement, including a financial plan for such project; (2) the boundaries of the SIFT district, including a depiction of the SIFT district on a map of the municipality and a listing of the street addresses and lot numbers of all lots within the SIFT district; (3) estimates of the amount of tax increment revenue to be remitted during the term of the SIFT agreement; (4) the method of calculating the percentage of the tax increment to be remitted together with any provisions for adjustment of the method of calculation; (5) the board or officer of the city or town responsible for calcu-

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lating the tax increment; (6) any tax increment pledged or otherwise subject to chapter 40Q or section 59 of chapter 40; (7) a statement of the estimated impact of tax increment financing on all taxing jurisdictions in which the SIFT district is located; (8) the term of years of the SIFT agreement; (9) the base date; (10) the date, if any, following which the SIFT agreement must be re-approved by the city or town in accordance with section 2 if a notice to proceed has not been issued by the department or authority with respect to the transportation project; (11) anticipated or known gifts, grants, or private contributions; and (12) the department and/or authority fund to which the tax increment revenue shall be remitted.

'SIFT district', a specified area within the corporate limits of a city or town as set forth in the SIFT agreement.

'Tax increment', all annual increases in the municipality's limit on total taxes assessed under section 21C(f) of chapter 59 that are attributable to parcels within the district for fiscal years with an assessment date later than the base date. The tax increment shall also include the part of increases in the limit on total taxes assessed allowed under subsection (f) of section 21C of chapter 59 that are attributable to such increases under said subsection in prior years that were part of the increment in such prior years. In any year in which the limit on total taxes assessed under section 21C is lower than the prior year's limit on total taxes assessed, the tax increment shall be reduced in the same proportion as the limit on total taxes assessed.

'Transportation project', any construction project, or any component thereof, undertaken by the authority and/or department, including without limitation construction, reconstruction, repair or enhancement of ways or bridges, on- or off-ramps, bikeways or multi-use paths, transit stations, passenger facilities, and rail projects and extensions.

Section 2. (a) The secretary and any municipality may enter into a SIFT agreement; provided, that no municipality may enter into or implement a SIFT agreement unless and until the SIFT agreement has been approved by the municipality in accordance with this section.

(b) Notwithstanding any general or special law or regulation to the contrary, not less than 30 days prior to any vote required under subsection (c), a municipality shall hold a public hearing regarding the SIFT agreement or amendment thereto and shall provide the public with an opportunity to submit written comments. The municipality shall create a written record of the public hearing, which shall include a description of the testimony offered by persons at such hearing. Not less than 14 days prior to the hearing: (i) public notice of the hearing shall be published in one or more local newspapers of general circulation and shall be posted in the municipality's main governmental building and on the municipality's web site; and (ii) the SIFT agreement or amendment shall be made available by the municipality for inspection and copying.

(c) Notwithstanding any general or special law or regulation to the contrary, a city or town shall approve the SIFT agreement by vote of its town meeting, town council or city council, with the approval of the mayor where required by law; provided, that the term of years, any provision related to calculation of the tax increment, or the boundaries of a SIFT district may only be amended, following approval by the secretary, after meeting the requirements for adoption under this section.

Section 3. (a) Within 60 days following approval of a SIFT agreement in accordance with section 2, the assessor of the city or town shall certify the original assessed value of the taxable property within the boundaries of the SIFT district. Each year after the approval of a SIFT agreement the assessor of the city or town shall certify the amount by which the assessed value has increased or decreased from the original value.

(b) Following approval of a SIFT agreement in accordance with section 2, the city or town shall set aside and remit all tax increment revenues in accordance with the SIFT agreement.

Section 4. The department shall promulgate rules and regulations necessary to implement this chapter, including, without limitation, rules and regulations establishing criteria for evaluating eligible transportation projects."

The amendment was adopted.

Mr. Golden of Lowell then moved to amend the bill by adding the following section:

"SECTION 117. Section 225 of Chapter 112 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in fourth paragraph, the word 'three' and replacing it with the following word:— two."

The amendment was adopted.

Mr. Carvalho of Boston and other members of the House then moved to amend the bill by adding the following two sections:

"SECTION 118. Said chapter 7 of the General Laws, as so appearing in the 2012 Official Edition, is hereby amended by inserting after Section 23B the following section:—

Section 23B½. Contracting diversity goals.

For the purposes of this chapter, it shall be the official goal of the Commonwealth to achieve minority business enterprise and women business enterprise contracting goals within state procurement that are reflective of the diverse racial, ethnic, and gender make-up of the Commonwealth's population.

SECTION 119. Section 44A½ of said chapter 149, as so appearing, is hereby amended by inserting after the last paragraph the following paragraph:—

(d) It shall be the goal of the Commonwealth to achieve minority business enterprise and women business enterprise contracting goals and workforce participation goals on the totality of state-funded design and construction contracts that are reflective of the diverse racial, ethnic, and gender make-up of the Commonwealth's population."

The amendment was adopted.

Representatives Cariddi of North Adams and Garlick of Needham then moved to amend the bill by adding the following section:

"SECTION 120. Chapter 74 of the General Laws is hereby amended by inserting the following new section:—

Section 57. The board of higher education shall establish and maintain, in cooperation with local public and vocational school authorities, post-secondary technical schools, and the boards of trustees of community colleges, a program to support training and education programs that address the workforce shortages of the advanced automotive and diesel technician industry in the commonwealth with the goal of

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training students, creating new jobs, retaining and upgrading existing jobs, and re-training existing workers to implement new technologies and to help meet the workforce and talent pipeline needs of employers, including, but not limited to, a person who has obtained a class 1 license pursuant to sections 58 and 59 of chapter 140 of the General Laws.

There shall be established a grant program to implement the provisions of this section to which employers shall have access for the following purposes:

(1) identify, support, or establish collaborative regional partnerships, including, but not limited to, employers, workforce development and education organizations, regional economic development organizations established under sections 3J and 3K of chapter 23A, and economic development officials in every region of the state where said class 1 licensees and related industries demonstrate demand for automotive and diesel repair technicians;

(2) address critical workforce shortages in the automotive and diesel repair industry;

(3) improve and increase employment opportunities in the automotive and diesel repair industry for low-income individuals, women, and minorities;

(4) provide training and educational or career ladder services for currently employed or unemployed automotive and diesel repair workers who are seeking new positions or responsibilities within the automotive and diesel repair industry;

(5) increase support for internship and apprentice training at facilities associated with said class 1 licensees;

(6) boost industry-relevant instructor capacity for high school and postsecondary programs; and

(7) direct support for succession planning, worker retention, and upskilling strategies for older and incumbent workers.

For the purposes of this grant program, eligible applicants shall include, but not be limited to, employers and employer associations; local workforce investment boards; institutions of higher education; kindergarten through grade 12 and vocational education institutions; private for-profit and non-profit organizations providing education and workforce training, one-stop career centers; local workforce development entities; and any partnership or collaboration between eligible applicants. Any funds allocated through such program shall complement and not replace existing local, state, private, or federal funding for training and educational programs.

A grant proposal submitted pursuant to this section shall include, but not be limited to, the following:

(1) a plan that defines specific goals for advanced automotive and diesel repair technology workforce training and educational improvements;

(2) the evidence-based programs the applicant shall use to meet the goals;

(3) a budget necessary to implement the plan, including a detailed description of any funding or in-kind contributions the applicant or applicants will be providing in support of the proposal;

(4) any other private funding or private sector participation the applicant anticipates in support of the proposal; and

(5) the proposed number of individuals who would be enrolled, complete training, and be placed into employment in the targeted industries.

The board of higher education shall, in consultation with the executive office of housing and economic development, executive office of labor and workforce development, the department of education, and entities representing parties who are eligible to participate in the grant program, develop guidelines for an annual review of the progress being made by each grantee. Each grantee shall participate in any evaluation or accountability process implemented by or authorized by the commonwealth corporation. The board shall file annual reports for the duration of the programs with the chairs of the house and senate committee on ways and means, the chairs of the joint committee on labor and workforce development, and the chairs of the joint committee on economic development and emerging technologies, on or before January 1; provided further, the report shall include an overview of the activities of the programs, the number of participants in the programs, and the employment outcomes in the programs.”.

The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill by adding the following section:

“SECTION 121. Section 6I of chapter 40J of the General Laws is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:—

(b) There shall be a MassCAN advisory board to consist of 13 members to be appointed by the governor, including: 1 person recommended by the Massachusetts Competitive Partnership, Inc.; 1 person recommended by the Massachusetts Business Roundtable; 1 person recommended by the Massachusetts Technology Leadership Council, Inc.; 1 person recommended by a federally-funded research corporation; 1 person recommended by the chair of the computer science department of a public university; 1 person recommended by the Massachusetts Association of School Superintendents, Inc.; 1 person recommended by the Greater Boston chapter of the Computer Science Teachers Association; 1 person recommended by the METCO program; 1 person recommended by the Massachusetts Technology Leadership Council Education Foundation; 1 person recommended by The Partnership, Inc.; 1 person recommended by TechNet; 1 person recommended by the Society of Hispanic Professional Engineers; and 1 person recommended by the Massachusetts chapter of the Society of Women Engineers.”.

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 122. 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 123. Section 22 (c) of Chapter 237 of the Acts of 2014 is hereby amended by striking out the following phrase:— or if Essex

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Sports Center, LLC ceases to be the lessee at any time before the expiration of the lease.”

The amendment was adopted.

Mr. Honan of Boston moves to amend the bill by adding the following section:

“SECTION 124. Section 3 of said chapter 40R, as so appearing, is amended by inserting after the figure ‘40A,’ in line 9, the following:— ; provided, however, that a smart growth zoning district or starter home zoning district ordinance or by-law shall be adopted, amended or repealed by a simple majority vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are 2 branches, or by a simple majority vote of a town meeting.”

The amendment was adopted.

Mrs. O’Connell of Taunton and other members of the House then moved to amend the bill by adding the following section:

“SECTION 125. There shall be a special commission to investigate the issue of college affordability. The commission shall examine and make recommendations on the contributing factors to rising tuition and fee costs at institutes of higher education in the commonwealth. For the purposes of this section, the term ‘institutes of higher education’ shall include public and private institutes of higher education. The commission may hold public hearings.

The commission’s investigation shall include, but not be limited to, the following areas: (i) employee expenditures including, but not limited to, employee issued credit cards and expense accounts; (ii) vacation and sick time policies for administrative employees; (iii) salaries, bonuses and stipends for administrative employees and professors including, but not limited to, tenured and non-tenured, associate and part-time professors and instructors who are members of collective bargaining units and who are considering joining collective bargaining units; (iv) professor class load; (v) the number of administrative positions at institutes of higher education and their descriptions; (vi) the cost and benefit of construction projects on campuses of institutes of higher education; (vii) endowments and annual profits of institutes of higher education; (viii) mandatory fees charged to students beyond the price of tuition charges, including technology and laboratory fees; (ix) the affordability of college textbooks including, but not limited to, the costs and benefits of open source textbooks; (x) ways for an institute of higher education to directly credit a student’s account with funds to pay for books and supplies in accordance with 34 C.F.R. 668.164(c)(2); (xi) the cost differences and composition of online credit hours versus on-campus credit hour; (xii) and other areas the commission deems appropriate to review and investigate.

The commission shall consist of the following members: four persons appointed by the governor, one of whom shall serve as the chair, one of whom shall have expertise in finance and investment, two of whom shall be parents or guardians of current college students; one member of the senate to be appointed by the senate president; one member of the senate to be appointed by the senate minority leader; one member of the house to be appointed by the speaker; one 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 to the board of education; a representative from the Massachusetts Office of Financial Assistance; a representative from the Massachusetts Educational Financing Authority; a representative from the department 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, Inc.; and a member of the Association of Independent Colleges and Universities in Massachusetts, Inc.”

The amendment was adopted.

There being no objection, Ms. Hogan of Stow then moved to amend the bill by adding the following section:

“SECTION 126. Section 13 of chapter 176J of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by adding the following subsection:

(d) Notwithstanding this chapter or any other general or special law to the contrary, carriers may annually offer group purchasing cooperative members rewards or other incentives for participation in wellness programs sponsored by the cooperative. The amount of such rewards shall be determined by the carrier in coordination with the provider of the wellness program, based upon the promotion and participation of the cooperative and its members in sponsored wellness programs that include, among other things, health care education and the use of available transparency tools. Any reward established pursuant to this subsection shall be submitted to the commissioner for informational purposes prior to the payment of any such reward. The requirements to qualify for such reward shall be applied equally and consistently to all cooperative members, treating all similarly situated cooperative members that have qualified for the reward in the same manner.

The Commissioner shall study the ability of cooperatives to use other incentives for wellness programs within the restrictions of state and federal rating rules and may also consider the use of an innovation waiver to pursue such flexibility.”

The amendment was adopted.

After remarks on passing the bill, as amended, to be engrossed, Mr. Scaccia of Boston moved to amend it by adding at the following two sections:

“SECTION 127. Section 6J of said Chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 41 the figure: ‘\$50,000,000’ and inserting in its place the figure:— \$60,000,000.

SECTION 128. Section 38R of said Chapter 63 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 40 the figure: ‘\$50,000,000’ and inserting in its place the figure:— \$60,000,000.

The amendment was rejected.

The same member then moved to amend the bill in section 2A, in item 7002-8009, by adding the following: “; provided that \$700,000 shall be expended for the restoration and rehabilitation of the historic

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building located at 17 Fairmount Avenue in the Hyde Park neighborhood of Boston.”; and the amendment was rejected.

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

“SECTION 127. Chapter 59 of the General Laws is hereby amended by inserting after section 2D the following section:—

2E. Any charitable organization or educational institution otherwise exempt from the payment of property taxes pursuant to section 5 of chapter 59, or any nonprofit charitable corporation or public charity otherwise exempt from the payment of property taxes, that purchases real property that was subject to taxation under said chapter 59 at the time of the purchase, shall pay property taxes on the assessed value of said property for a period of 4 years after the purchase, the amount of said property taxes paid to be phased out as follows: in the first year, 100 per cent of the property tax; in the second year, 75 per cent of the property tax; in the third year, 50 per cent of the property tax; and in the fourth year, 25 per cent of the property tax.”.

The amendment was adopted.

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

“SECTION 128. Section 42 of chapter 52 of the acts of 2016 is hereby amended by striking the text in its entirety and inserting the following:—

Section 2A. No person shall sell, offer for sale, manufacture or possess powdered alcohol. Whoever violates this section shall be punished by a fine of not less than \$100 or more than \$1,000.

This section does not apply to (A) the use of powdered alcohol as an ingredient in non-powdered products or (B) the production of, sale, offering to sell, or delivery, receipt or purchasing for resale, powdered alcohol for the use as an ingredient in non-powdered products.”.

The amendment was adopted.

Representatives Peake of Provincetown and Kulik of Worthington then moved to amend the bill by adding the following two sections:

“SECTION 129. Paragraph (4) of subsection (c) of section 6M of chapter 62 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 155, the words ‘it has utilized at least 95 per cent of the 3 year total of any prior allocation’ and inserting in place thereof the following words:— the department has determined that it has made satisfactory progress toward utilizing any prior allocation.

SECTION 130. Paragraph (4) of subsection (c) of section 38EE of chapter 63 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in line 141, the words ‘it has utilized at least 95 per cent of the 3-year total of any prior allocation’ and inserting in place thereof the following words:— the department has determined that it has made satisfactory progress toward utilizing any prior allocation.”.

The amendment was adopted.

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

“SECTION 131. Chapter 166A of the General Laws, as so appearing, is hereby amended by inserting after section 22 the following section:—

Section 23. All cable television operators shall locate PEG channels on the high definition tier. Cable television operators shall provide PEG channel managers with access to the electronic program guide to ensure that residents can access information about local PEG channels”.

The amendment was adopted.

The Chair (Mr. Donato of Medford) then placed before the House the question on suspension of 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 call 114 members voted in the affirmative and 37 in the negative.

[See Ye and Nay No. 297 in Supplement.]

Therefore Rule 1A was suspended.

The Speaker being in the Chair,—

Mr. Dempsey of Haverhill then moved to amend the bill, in section 2A, in item 7002-8009 by adding the following: “; provided further, that \$75,000 shall be expended for the purpose of structural, roofing, masonry and site work at the Colonial Theatre in the city of Pittsfield; provided further, that \$250,000 shall be expended to rehabilitate, finish, or expand facilities related to the Center for the Arts in the town of Natick; provide further, that \$250,000 shall be expended for site analysis and feasibility of an upper valley innovation center to provide start-up entrepreneurial maker space in the city of Greenfield”, and in said item by striking out the figures “\$15,000,000” and inserting in place thereof the following figures “\$15,575,000”;

By striking out item 7002-8010;

In item 7002-8014 by adding the following: “; provided further, that \$396,000 shall be expended to the Franklin County Community Development Corporation for costs associated with the expansion of the Western Massachusetts Food Processing Center”, and in said item by striking out the figures “\$6,000,000” and inserting in place thereof the figures “\$6,396,000”;

By striking out item 7002-8015 and inserting in place thereof the following five items:

“7002-8016 For a Designated Port Area Pilot program to be administered by the Massachusetts Development Finance Agency to make grants, loans, or a combination thereof for the design, construction, repair, renovation, rehabilitation, or other capital improvement of existing commercial and marine industrial infrastructure and commercial and public maritime transportation infrastructure; provided that, in making such grants or loans, the agency shall consider: (i) the impacts on future economic growth and commercial and industrial development within the designated port area; (ii) the impacts on the commercial fishing industry; (iii) the impacts on wastewater and wastewater pretreatment in the designated port area; (iv) the attendant economic benefits to the commonwealth; and (v) any strategic report or other assessment created under section 94 of chapter 287 of the

Suspension of
Rule 1A.

Rule 1A
suspended,—
yea and nay
No. 297.

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acts of 2014; provided further, that the agency shall reasonably anticipate that its loan will leverage additional private investment in the property or the designated port area in which the property is located; and, provided further, that the agency shall, in coordination with the executive office of housing and economic development, submit an annual report to the clerks of the house and senate who shall forward the report to the house and senate committees on ways and means and the joint committee on economic development and emerging technologies on or before December 31. The report shall include a current assessment of the progress of each project funded through the program

\$1,000,000;

7002-8017 For the Massachusetts Technology Park Corporation, established in section 3 of chapter 40J of the General Laws and doing business as the Massachusetts Technology Collaborative, to create a cybersecurity and data analytics technology development and training center of excellence pursuant to section 104; provided further, that \$75,000 shall be expended for the purpose of extending Mass Broadband, fiber optic cable network to the William Stanley Business Park to support the operation of the Berkshire Innovation Center in the city of Pittsfield; provided further, that \$200,000 shall be expended for the Haitian American Business Expo, Inc. to expand its launch of its first-of-its-kind free platform connecting the Haitian/Haitian-American business community free-of-charge with consumers by showcasing Haitian businesses and services throughout the Commonwealth through its Haitian business and non-profit web directory, database, mobile application, media outlets and community presence.....

\$4,775,000;

7002-8018 For public infrastructure grants to municipalities and other public instrumentalities for design, construction, building, land acquisition, rehabilitation, repair and other improvements to publicly-owned infrastructure; provided further, that \$500,000 shall be expended for the Hamilton Canal District in the city of Lowell; provided further, that \$500,000 be expended for the completion of the Northampton Arts Trust building project, located on Hawley Street in the city of Northampton; provided further, that \$100,000 shall be expended for the relocation and rehabilitation of Stearns Tavern in the city of Worcester to provide job training and employment opportunities, in conjunction with the Seven Hills Foundation, for persons with disabilities, and to create an all-ages, universally-accessible playground and park to adjoin the tavern; provided further, that \$500,000 shall be expended on improving wayfinding efforts in cultural districts designated

pursuant to clause 5 of subsection (a) of section 63 of chapter 23A of the General Laws; provided further, that \$200,000 shall be expended for infrastructure improvements in the city of Brockton; provided further, that \$150,000 shall be expended for infrastructure improvements pursuant to MassDOT's Route 107 Corridor Study in the cities of Salem and Lynn; provided further, that \$500,000 shall be expended for the restoration, rehabilitation and renovation of the Lowell Memorial Auditorium in order to ensure compliance with the Americans with Disabilities Act in the city of Lowell; provided further, that \$250,000 shall be expended for the engineering cost of replacing the West Park Street Bridge in the town of Lee; provided further, that \$142,000 shall be expended to assist the Middlesex 3 Coalition Transportation Management Association to acquire and maintain a transportation service vehicle between the City of Lowell and the Towns of Bedford and Burlington; provided further, that \$250,000 shall be expended for new sidewalks at the intersection of Randolph street and state route 138, also known as Turnpike street, in the town of Canton; provided further, that \$250,000 shall be expended for the redevelopment of infrastructure in the Avon industrial park; provided further, that not less than \$350,000 be expended for repairs of the Tashmoo Boat Ramp in Vineyard Haven to encourage commercial and recreational activities; provided further, that \$250,000 shall be expended for the study and implementation of parking management plans in municipalities that, due to residential, commercial or industrial development, require the development of demand-based parking to meet the needs of visitors to the municipality whether they be employees, customers of businesses or tourists; provided, that municipalities that demonstrate an average daily visitor population or at least 30,000 shall be given priority; provided further, that \$250,000 shall be expended for the redevelopment of Stoughton Center in the town of Stoughton; provided further, that \$250,000 shall be expended for repairs, enhancements and improved pedestrian access in the Melrose downtown business and historic district; provided further, that \$100,000 shall be expended for infrastructure improvements to the Lynnway route 1A in the city of Lynn; provided further, that \$100,000 shall be expended to the town of Buckland for the completion of the Clesson Brook Road bridge reconstruction project; provided further, that \$150,000 shall be expended for improvements to the Fall River waterfront including parking accessibility and improvements to Jefferson Street; provided further, that \$500,000 shall be expended for improving infrastructure

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along route 140 in the town of Boylston; provided further, that \$200,000 shall be expended for a workforce development grant to Into Action Recovery, Inc for the purchase and renovation of an opiate recovery treatment facility to promote economic development, workforce development and substance abuse recovery in the town of Tewksbury; provided further, that provided that \$500,000 shall be expended for economic development linking state and local land to the business districts along the Route 3A Corridor in Weymouth and Hingham and along the Back River in the towns of Weymouth and Hingham; provided further, that \$230,000 shall be expended for the repair of sidewalks along Granite avenue in the town of Milton; provided further, that \$100,000 shall be expended for infrastructure improvements in the town of Templeton \$6,322,000;

7002-8019 For the Massachusetts Growth Capital Corporation established pursuant to section 2 of chapter 40W of the General Laws for a program to provide matching grants to community development financial institutions certified by the United States Treasury or community development corporations certified under chapter 40H of the General Laws to enable them to leverage federal or private investments for the purpose of making loans to small businesses \$1,000,000;

7002-8021 For the Brownfields Redevelopment Fund established by section 29A of chapter 23G of the General Laws \$45,000,000”;

In section 2B by inserting after item 7004-8016 the following item:

“7004-8017 For the Urban Revitalization and Development Grant Program established by section 53 of chapter 121B of the General Laws..... \$1,000,000”;

In section 2C, in item 7009-2005 by inserting after the words “administration of the program” the following: “; provided further, that not less than \$250,000 be allocated for the purpose of job training at Holyoke Works; provided further, that \$250,000 shall be expended for an employment training program for unemployed or underemployed young adults with disabilities, provided that funds shall be awarded competitively by the Executive Office of Labor and Workforce Development to community-based organizations with recognized success in creating strong collaborations with employers to consider young adults with disabilities and said organization shall provide extensive training and internship programming and ongoing post-placement support for participants and employers; provided further, that \$100,000 shall be expended to the Central Massachusetts Center for Business and Enterprise to support custom workforce training curriculums in the manufacturing industry through a higher learning institution within the Blackstone Valley; provided further, that \$25,000,000 shall be expended on an employer-employee training grant program pursuant to section 57 of chapter 74 of the General Laws”, and in said item by

striking out the figures “\$45,000,000” and inserting in place thereof the figures “\$70,600,000”;

In item 6720-1340 by adding the following: “; provided further, that funds shall be expended for investment in infrastructure improvements to the World Trade Center and other maritime facilities to accommodate future maritime uses, including Sail Boston 2017/Tall Ships”, and in said item by striking out the figures “\$107,500,000” and inserting in place thereof the figures “\$109,500,000”;

By adding following items:

“EXECUTIVE OFFICE OF ENERGY AND ENVIRONMENTAL AFFAIRS.

Department of Conservation and Recreation.

“2800-7109 For the design, construction, reconstruction, improvement or rehabilitation of department or navigable coastal and inland waterways projects including, but not limited to, dredging for the purpose of promoting trade, tourism and other economic benefits on a local, regional or statewide basis \$5,000,000”.

EXECUTIVE OFFICE OF PUBLIC SAFETY AND HOMELAND SECURITY.

Office of the Secretary.

8100-0026 For the State Police and the Boston Regional Intelligence Center/Boston Police Department to enhance and expand technology and protocols to establish and improve programs for the prevention of economic cybercrime, terrorist activities, organized crime, including gangs, and to enhance emergency response and transportation infrastructure alerts and drug interdiction in accordance with an interagency agreement. The interagency agreement shall provide protocols to coordinate and share information and data aggregation developed by the parties and provide assistance and cooperation with the business community, the gateway communities, regional fusion centers, the Massachusetts Port Authority and the Mass Bay Transit Authority..... \$25,000,000”.

The amendments were adopted.

Mr. Dempsey then moved to amend the bill in section 2A, in item 7002-8019 (inserted by amendment), by adding the following: “; provided further, that \$100,000 shall be expended to SEED Corporation in Taunton”;

In section 10, in line 555, by striking out the figures “66” and inserting in place thereof the figures “67”;

In section 88 (as published), in line 1620, by inserting after the following: “17,” the words “a local licensing authority, subject to the approval of the commission, may grant a license under this section to”, in line 1626, by inserting after the following: “section 19E,” the words “and on the grounds of the farm operated as appurtenant and contiguous to, and in conjunction with, such premises”;

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In section 105 (as published), in line 1845, by striking out the figures “746,500,000” and inserting in place thereof the figures “\$756,068,000”;

In section 106 (as published), in line 1857, by striking out the figures “\$15,000,000” and inserting in place thereof the figures “\$16,000,000”;

In section 107 (as published), in line 1869, by striking out the figures “\$154,000,000” and inserting in place thereof the figures “\$212,500,000”.

The amendments were adopted.

Bill passed to be engrossed,—yea and nay No. 298.

After debate 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. Wagner of Chicopee; and on the roll call (Mr. Donato of Medford being in the Chair) 152 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 298 in Supplement.]

Therefore the bill (House, No. 4483, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measures.

Jodi Paris Anastos,—sick leave.

Mr. Mariano of Quincy being in the Chair,— The engrossed Bill establishing a sick leave bank for Jodi Paris Anastos, an employee of the Operational Services Division (Senate, No. 2312), 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 28 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Revere,—land.

The engrossed Bill authorizing the transfer of certain land of the Massachusetts Bay Transportation Authority in the city of Revere to the city of Revere (see Senate, No. 2353) 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 22 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Transgender discrimination.

The engrossed Bill relative to transgender anti-discrimination (see Senate, No. 2407) 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 18 to 1. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

Mr. Donato of Medford being in the Chair,— The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the town of Framingham (see House, No. 3939, changed and amended), 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.

Framingham,—land.

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 passed to be enacted; and it was signed by the acting Speaker and Senate to the Senate.

Bill enacted.

Engrossed Bills.

Engrossed bills

Authorizing the town of Athol to establish a special fund for the rehabilitation of certain properties (see Senate, No. 31, amended);

Bills enacted.

Establishing a special fund for recaptured funds from demolition liens or related grants in the town of Athol (see Senate, No. 32, amended);

Relative to the establishment of a county stabilization fund (see Senate, No. 1064);

Authorizing the town of Andover school district to convey a certain parcel of land (see Senate, No. 1983);

(Which severally originated in the Senate);

Further regulating disclosure requirements for expenditures made to support or oppose candidates by certain committees (see House, No. 541);

Authorizing the town of Pelham to continue the employment of Raymond A. Murphy, Jr. as fire chief (see House, No. 3575, amended); and

Further regulating the sale of alcoholic beverages in the city of Somerville (see House, No. 4184, amended);

(Which severally 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.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet Monday next at eleven o'clock A.M.

Next sitting.

Accordingly, without further consideration of the remaining matters in the Orders of the Day, at twenty-six minutes after nine o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.