

NOTICE: While reasonable efforts have been made to assure the accuracy of the data herein, this is **NOT** the official version of Senate Journal. It is published to provide information in a timely manner, but has **NOT** been proofread against the events of the session for this day. All information obtained from this source should be checked against a proofed copy of the Senate Journal.

UNCORRECTED PROOF OF THE JOURNAL OF THE SENATE.



JOURNAL OF THE SENATE.

Saturday, July 30, 2016.

Met according adjournment at eleven o'clock A.M. (Mr. Eldridge in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Eldridge), members, guests and staff then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, during consideration of the Orders of the Day, the Chair (Ms. Chandler) handed the gavel to Mr. McGee for the purpose of an introduction. Mr. McGee then introduced, in the rear of the Chamber, Rick Nelson from Lynn. Rick was recognized for having recently run into a burning home and for saving the life of a handicapped resident. The Senate applauded his heroic efforts and he withdrew from the Chamber. He was accompanied by his father, Rick. They were also guests of Representatives Crighton and Cahill.

There being no objection, the President handed the gavel to Mr. DiDomenico for the purpose of an introduction. Mr. DiDomenico then introduced, in the rear of the Chamber, Nevada State Senator Becky Harris and former Nevada Assembly member Erven Nelson. Senator Harris is the Chair of Education and Vice Chair of the Judiciary committee and Assembly Member Nelson served on the Commerce and Judiciary committees. The Senate welcomed them with applause and they withdrew from the Chamber.

Communication.

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

Communication from the Honorable Bruce E. Tarr, Senate Minority Leader, announcing the appointment (pursuant to Section 9 of Chapter 115 of the Acts of 2016) of Dr. Howard Grant of Lahey Health to the Special Commission to review variation in prices among providers;

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 133 of the Acts of 2016) submitting the Fiscal Year 2017 transfer schedule for the following account: 1595-1069 Health Information Technology Trust Fund (received July 28, 2016);

Communication from the Office of the Comptroller (pursuant to Section 2E of Chapter 133 of the Acts of 2016) submitting the Fiscal Year 2017 transfer schedule for the following account: 1595-1067 Delivery System Transformation Initiatives Trust Fund (received July 28, 2016); and

Communication from the Sheriff of Hampden County relative to a plan of correction in response to a facility inspection of the Western Mass Regional Women's Correctional Center conducted on June 10, 2016 (received July 29, 2016).

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Tarr, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr, Donald F. Humason, Jr., Ryan C. Fattman, Patrick M. OConnor and other members of the General Court for legislation to protect due process and strengthen public safety; and

By the same Senator, a petition (accompanied by bill) (subject to Joint Rule 12) of Bruce E. Tarr, Patrick M. OConnor, Richard J. Ross, Ryan C. Fattman and other members of the General Court for legislation to prohibit soliciting acts of terrorism;

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

PAPERS FROM THE HOUSE

Message from His Excellency the Governor recommending legislation relative to expanded access to therapies for the treatment of Lyme Disease (House, No. 4560),-- **was referred, in concurrence, to the committee on Financial Services.**

A petition (accompanied by bill, House, No. 4564) of Benjamin Swan (with the approval of the mayor and city council) that the city of Springfield be authorized to convey a certain parcel of land for traffic improvement purposes,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-

Resolutions (filed by Ms. Chandler, Ms. Gobi, Ms. Forry, Messrs. Timilty, Ross, Moore, Lesser, Eldridge and Keenan, Ms. Creem, Messrs. Lewis, Wolf and Pacheco, Ms. Lovely, Messrs. Brady, DiDomenico and OConnor, Ms. Jehlen and Ms. Spilka) “condemning the practice of female genital mutilation and all forms of gender-based violence”.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill providing for the financing of certain improvements to municipal roads and bridges (see House, No. 4424, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

The bill was signed by the Acting President (Mr. Eldridge) and sent to the House for enactment.

Matters Taken Out of the Notice Section of the Calendar.

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

The House Bill increasing access to immunizations (House, No. 3895),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the town of Rehoboth to transfer a conservation easement on a certain parcel of land (House, No. 4158),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Timilty moved that the bill be amended by striking out section 2 and inserting in place thereof the following 2 sections:-

“SECTION 2. As a condition of the conveyance authorized in section 1, the town of Rehoboth shall transfer a parcel of land under the care, custody, management and control of the board of selectmen and dedicated for general municipal purposes to the conservation commission and such parcel shall be dedicated for conservation purposes. If no suitable parcel can be transferred to the conservation commission, the town shall acquire a parcel of land or a conservation restriction upon private land as defined at section 31 of chapter 184 of the General Laws. Such land shall be dedicated or restricted to conservation purposes and shall be under the jurisdiction of the conservation commission. The parcel of land dedicated pursuant to this section, shall be of equal or greater size and value for conservation when compared to the parcel described in section 1.

SECTION 3. This act shall take effect upon its passage.”

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the city of Springfield to lease certain land (House, No. 3818),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Welch presented an amendment inserting after the word “contrary”, in line 2, the following words:- “, but subject to paragraphs (a), (b) and (g) of section 16 of chapter 30B”; and by striking out, in line 4, the word “at” and inserting in place thereof the following words:- “, which shall be open to the general public for outdoor recreation purposes, at”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the change in use of certain park land in the city of Springfield (House, No. 4159),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the city of Salem to convey a certain parcel of park land (House, No. 4464) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill authorizing the division of capital asset management and maintenance to convey a certain parcel of land in the town of Stoneham (House, No. 4519) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land to the city of Salem (see House, No. 3970, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

The bill was signed by the Acting President (Mr. Eldridge) and sent to the House for enactment.

There being no objection, at seven minutes past eleven o'clock A.M., the Chair (Mr. Eldridge) declared a recess subject to the call of the Chair; and, at eighteen minutes before one o'clock P.M., the Senate reassembled, the President in the Chair.

Matters Taken Out of the Notice Section of the Calendar.

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

The House Bill relative to the maximum age of special police officers in the city known as the town of Bridgewater (House, No. 3686) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill designating a certain bridge in the city of Boston as The Honorable Arthur J. Lewis, Jr. Bridge (House, No. 3637, amended) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill establishing the Somerville municipal job creation and retention trust (House, No. 4303) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the creation of a renewable energy fund in the town of Dedham (House, No. 3881),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to the composition of the Salem Board of Health (House, No. 3344),-- **was read a third time and passed to be engrossed, in concurrence.**

The House Bill relative to certain parcels of land in the town of Wakefield (House, No. 3629),-- **was read a third time.**

Pending the question on passing the bill to be engrossed, Mr. Lewis moved that the bill be amended by inserting after the word "Laws", in line 13, the following words:- "and provided further, that no conveyances under this act shall be completed until a certificate of redemption for parcel 33-185-24A has been recorded in the Middlesex south district registry of deeds".

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Relative to certain land in the town of Plymouth (House, No. 3966);

Making a corrective change for a certain reserve fund in the town of Hingham (House, No. 4051);

Relative to the town administrator in the town of Hingham (House, No. 4316); and

Authorizing the change of use of certain park land in the town of South Hadley (House, No. 4379, amended);

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

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

Ms. Chandler in the Chair, the Senate Bill establishing a family and medical leave and temporary disability leave insurance program (printed as House, No. 4351),-- **was read a second time.**

After remarks, and pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2446), and pending the main question on ordering the bill to a third reading, Mr. Rush moved that the proposed new draft be amended in line 50, by striking out the word:- “or” and inserting after the word “member” the following:- “, or (iii) because of any qualifying exigency under the family and medical leave act, 29 U.S.C.S § 2612(a)(1)(e) arising out of the fact that the family member of the employee is on active duty in the armed forces of the United States”.

After remarks, the amendment was adopted.

Mr. Ross moved that the proposed new draft be amended by inserting after section __ the following section:-

“SECTION __. Section 12 of chapter 156C, as appearing in the 2014 Official Edition, is hereby amended by striking subsection (d) and inserting in place thereof the following:-

(d) The fee for the filing of the certificate of organization required by subsection (a) shall be five hundred dollars. The fee for the filing of the annual report required by subsection (c) shall be five hundred dollars, except as provided in subsection (e). Such fees shall be paid to the state secretary at the time the certificate of organization or the annual report is filed.

(e) The fee for the filing of the certificate of organization required by subsection (a) for a limited liability company with 6 employees or fewer shall be two hundred and fifty dollars. The fee for the filing of the annual report required by subsection (c) for a limited liability company with 6 employees or fewer shall be two hundred and fifty dollars. Such fees shall be paid to the state secretary at the time the annual report is filed.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended by inserting after section __, the following sections:-

“SECTION AA. Subsection (c) of section 3 of chapter 63B of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking out the first and second sentences and inserting in place thereof the following 3 sentences:-

For purposes of this chapter, there shall be 4 required installments for each taxable year, except as otherwise provided by this chapter. The first installment shall be paid on or before the fifteenth day of the third month of the taxable year; the second installment shall be paid on or before the fifteenth day of the sixth month of the taxable year; the third installment shall be paid on or before the fifteenth day of the ninth month of the taxable year; and the fourth installment shall be paid on or before the fifteenth day of the twelfth month of the taxable year. The amount of any installment shall be 25 per cent of the required annual payment.

SECTION BB. Section 4A of said chapter 63B, as so appearing, is hereby amended by striking out, in line 4, the word ‘sixty-five percent’ and inserting in place thereof the following words:- 50 per cent.

SECTION CC. Said section 4A of said chapter 63B, as so appearing, is hereby further amended by striking out, in line 9, the word ‘ten percent’ and inserting in place thereof the following words:- 25 per cent.”

The amendment was *rejected*.

Ms. Chang-Diaz and Mr. Eldridge moved that the proposed new draft be amended by inserting in section 3 after the definition of "Benefit year" the following:-

“‘Bereavement’, leave taken to grieve or make arrangements necessitated by the death of a family member.”;

By striking lines 47-50 and inserting in place thereof the following:-

“‘Family care leave’, leave taken by an employee from employment to provide care for a family member for 1 of the following reasons: (i) to bond with the employee's child during the first 12 months after the child's birth or the first 12 months after the placement of the child for adoption or foster care with the employee; (ii) a serious health condition of a family member; or (iii) for bereavement following the death of a family member.”;

By inserting after the words "benefit year" in line 96 the following:- “to bond with a child or to care for a family member. An employee or independent contractor shall be eligible for a maximum of 1 week of family care leave in a benefit year for bereavement, which shall be in addition to the maximum number of weeks an employee or contractor is eligible to take to care for a family member.”;

By inserting after the words "such leave" in line 134 the following:- “; provided that family care leave for bereavement that immediately follows leave taken in response to a serious health condition of a family member shall not be subject to an additional period of unpaid benefits; provided further that no family care benefits shall be paid during the first 3 consecutive calendar days of bereavement leave that does not immediately follow leave taken in response to a serious health condition of a family member.”; and

By striking in lines 203-204 and inserting in place thereof the following:- "(ii) a statement affirming that the employee is needed to care for a family member or bond with a child, or requires bereavement following the death of a family member.”.

The amendment was *rejected*.

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

“SECTION __. Section 30 of said chapter 151A of the General Laws, as so appearing, is hereby amended by striking out subsection (a) in its entirety and inserting in place thereof the following subsection:

(a) Except as provided in subsection (b), the total benefits which an unemployed individual may receive during his benefit year shall be an amount equal to thirty-six percent of his wages in the base period, or an amount equal to thirty times his benefit rate, whichever is less, plus dependency benefits payable under section 29; provided, that if in any month the average state-wide unemployment rate for the prior 6 months, as determined by the United States Department of Labor, is equal to or below 5.1 percent, the total benefits which an unemployed individual who then files a claim may receive during his benefit year shall be an amount equal to 36 per cent of his wages in the base period or an amount equal to 26 times his benefit rate, whichever is less, plus dependency benefits payable under said section 29. If such amount includes a fractional part of a dollar, it shall be rounded to the next lower full dollar amount

SECTION __. Said section 30 of said chapter 151A of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(d) Notwithstanding the provisions of subsection (a), in any period that the average state-wide unemployment rate exceeds 5.1 percent and is below 7.0 percent, an individual's rights to receive regular benefits under this chapter for any week in excess of 26 times the individual's weekly benefit amount, plus dependency benefits payable under section 29, shall be dependent on the individual's participation in an unpaid internship program approved by the commissioner. An individual may participate and receive a weekly benefit amount in an approved unpaid internship program for 4 weeks in excess of the 26 week benefit period. For each week in excess of said 26 weeks, in order to receive the corresponding benefits for that week, the individual shall complete a week in such approved internship program. Approved participation in such program shall not result in a decrease in an individual's regular benefits. Benefits under this chapter in excess of 26 weeks shall not be conditional upon participation in an unpaid internship if the average state-wide unemployment rate for the prior 6 months is equal to or above 7.1 percent, provided that in no case shall regular benefits be distributed in excess of 30 weeks."

The amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended by inserting after section 6 the following new section:-

"SECTION __. Notwithstanding any general or special law to the contrary, the secretary of labor and workforce development in consultation with the secretary of housing and economic development shall conduct an economic analysis on the impact of this legislation. Said report shall include but not be limited to an analysis of the economic conditions impacted by the bill, included but not limited to, the economic competitiveness of employers, the impact on unemployment, and the impact of the economic stability of recipients of unemployment benefits in the Commonwealth.

Said reports shall be made available on the website of the department of unemployment assistance and submitted to the clerks of the house and senate and the joint committee on labor and workforce development. Said act will not go into effect until 60 days after the submission of the economic analysis required under this section."; and

By striking sections 7, 8 and 9 in their entirety.

After remarks, the amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new draft be amended by striking in section 3 in line 23 "employer or" from the definition of contributions.

The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new draft be amended by striking in section 3 in line 52 "the employer" from definition of premium.

The amendment was *rejected*.

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

"SECTION __. Chapter 151A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking, in section 24, the first paragraph of subpart (a) and inserting in place thereof the following:-

(a) Have been paid wages in the base period amounting to at least 40 times the weekly benefit rate; provided, however, that for the period beginning on January first, nineteen hundred and ninety-five the individual has been paid wages in at least two calendar quarters of the base period amounting to at least 40 times the weekly benefit rate; provided, further, that said amount shall be increased annually proportionately, rounding to the nearest one hundred dollars, to any increases which have occurred during the prior calendar year in the minimum wage as set forth in section one of chapter one hundred and fifty-one; and, provided further, that any such increase shall be effective beginning on the first Sunday in January.

Section __. Chapter 151A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by striking, in section 30, subparts (a) and (b) and inserting in place thereof the following:-

(a) Except as provided in subsection (b), the total benefits which an unemployed individual may receive during his benefit year shall be an amount equal to thirty-six percent of his wages in the base period, or an amount equal to 26 times his benefit rate, whichever is less, plus dependency benefits payable under section 29; provided, however, that if in any month the average local unemployment for the last 12 months, as determined by the United States Department of Labor is equal to or below 5.1 per cent, the total benefits which an unemployed individual who then files a claim may receive during his benefit year shall be an amount equal to 36 per cent of his wages in the base period or an amount equal to 22 times his benefit rate, whichever is less, plus dependency benefits payable under said section 29; provided further that no such reduction in benefit rate from 26 times to 22 times the benefit rate due to the operation of this section shall occur to an individual's total benefit amount if, in any month during the individual's benefit year, the requirements of this section have not been met. If such amount includes a fractional part of a dollar, it shall be rounded to the next lower full dollar amount.

(b) Notwithstanding the provisions of subsection (a), an individual's rights to receive regular benefits under this chapter for any week in excess of 22 times the individual's weekly benefit amount, plus dependency benefits payable under section twenty-nine, shall cease for the remainder of the benefit year if such week of unemployment falls in an extended benefit period as defined in paragraph (a) of subsection (1) of section thirty A, or as defined in the Emergency Unemployment Compensation Act of 1991, or any other federal extended unemployment compensation act, as applicable.

SECTION __. Chapter 151A of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following section:-

Section 75. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:-

'Bonding or bond', to develop a psychological and emotional attachment between a child and his or her parent(s) or persons who stand in loco parentis.

'Child', a biological, adopted, or foster son or daughter, a stepson or stepdaughter, a legal ward, a son or daughter of a domestic partner, or a son or daughter of an employee who stands in loco parentis to that child.

'Department', the department of unemployment assistance.

'Employee', has the meaning described in section 1(h) of this chapter.

'Federal act', sections 101 to 105, inclusive, of the Family and Medical Leave Act of 1993, 29 U.S.C. sections 2611 to 2615, inclusive, as it may be amended.

'Newborn child', a child under one year of age."

'Parent', a biological, foster, or adoptive parent, a step-parent, a legal guardian, or other person who stands in loco parentis to the employee or the employee's spouse or domestic partner when he or she was a child.

'Persons who stand in loco parentis', persons with day-to-day responsibilities to care for and financially support a child. A biological or legal relationship is not required.

'Serious health condition', any illness, injury, impairment, or physical or mental condition that involves inpatient care in a hospital, hospice, or residential healthcare facility, or continued treatment or continuing supervision by a licensed healthcare provider.

(b) An employee shall be eligible for temporary caregiver benefits if the employee meets the eligibility criteria for unemployment benefits under sections 24(a) and 24A of this chapter and for leave under the federal act; provided, however, that an employer may opt to waive the federal act eligibility criteria in a manner to be determined by the department.

(c) Temporary caregiver benefits are available for any week in which an employee is unable to perform his or her regular and customary work because he or she is:

(1) Bonding with a newborn child or a child newly placed for adoption or foster care with the employee; or

(2) Caring for a child, parent, parent-in-law, grandparent, or spouse, who has a serious health condition;

(d) Temporary caregiver benefits shall begin January 1, 2018 and be limited to a maximum of 4 weeks per calendar year. The benefit amount shall be calculated using the weekly benefit rate described in section 29 of this chapter. Temporary caregiver benefits shall be paid from the Unemployment Compensation Fund.

(e) If the necessity for temporary caregiver benefits under this section is foreseeable, the employee shall provide the employer and the department at least seven days' notice before the date the leave is to begin. If the necessity for leave is not foreseeable, the employee shall provide such notice as is practicable.

(f) An employer may require that a request for benefits under this section be supported by a certification issued at such time and in such manner as the attorney general may by regulation require.

(g) The prohibition on false statements or misrepresentations contained in section 47 of this chapter shall apply to the benefits provided for in this section.

(h) The department shall implement and enforce the provisions of this section. The department shall have the following powers and duties:

(1) To promulgate regulations relative to the operation of temporary caregiver benefits;

(2) To create all necessary applications and certificates to fulfill the purposes of the temporary caregiver program; and

(3) To disseminate information regarding the program and carry out a public education program to inform employees and employers about the availability of benefits under the temporary caregiver program."

After remarks, the amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new draft be amended by striking in section 8 in line 245 "employer and".

The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new draft be amended by striking section 7.

The amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended by inserting at the end thereof the following:-

"SECTION __. This act shall require voluntary payment by opting in to family and medical leave program established under this act."

The amendment was *rejected*.

Ms. O'Connor Ives moved that the proposed new draft be amended in section 3, in proposed section 1 of proposed chapter 175M of the General Laws, by inserting after the definition of "Serious health condition" the following definition:-- "Small business

employer’, an employer with 10 or fewer employees.”; and in said section 3, by inserting after the word “section”, in line 241, the following words:- “; provided, however, that a small business employer may require an employee to provide up to 100 per cent of the contribution required by this section”.

After remarks, the amendment was adopted.

Ms. Spilka moved that the proposed new draft be amended in section 3, by striking out, in line 93, the words “1 quarter” and inserting in place thereof the following words:- “2 consecutive quarters”; and

By striking out section 7 and inserting in place thereof the following 2 sections:-

“SECTION 7. The department of family and medical leave shall promulgate regulations to implement this act not later than January 1, 2018.

SECTION 7A. Sections 1, 2 and proposed sections 3 to 9, inclusive, of proposed chapter 175M of the General Laws shall take effect on January 1, 2018.”

The amendment was adopted.

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

The bill (Senate, No. 2446, amended) was then ordered to a third reading, read a third time, and after remarks, was passed to be engrossed. [For text of the bill printed as amended, see Senate, No. 2477].

Sent to the House for concurrence.

The President in the Chair, the Senate Bill concerning sexual violence on higher education campuses (Senate, No. 2465),-- **was read a second time.**

After remarks, and pending the main question on ordering the bill to a third reading, Mr. Tarr moved that the bill be amended by inserting after the word "education" in line 327 the following:-"and the clerks of the house and senate".

After remarks, the amendment was adopted.

Mr. Tarr moved that the bill be amended by striking in line 350 the following:- "take effect on July 1, 2017" and inserting in place thereof the following:- "be subject to appropriation".

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at twenty-two minutes past two o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 6 – nays 33) **[Yeas and Nays No. 520]:**

YEAS.

deMacedo, Viriato M. OConnor, Patrick M.

Fattman, Ryan C. Ross, Richard J.

Humason, Donald F., Jr. Tarr, Bruce E. – **6.**

NAYS.

Barrett, Michael J. Keenan, John F.

Boncore, Joseph A. Lesser, Eric P.

Brady, Michael D. Lewis, Jason M.

Brownsberger, William N. L'Italien, Barbara A.

Chandler, Harriette L. Lovely, Joan B.

Chang-Diaz, Sonia McGee, Thomas M.

Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Rodrigues, Michael J.
Downing, Benjamin B.	Rosenberg, Stanley C.
Eldridge, James B.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Gobi, Anne M.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 33.
Joyce, Brian A.	

ABSENT OR NOT VOTING.

Pacheco, Marc R. – **1.**

The yeas and nays having been completed at a twenty-five minutes past two o'clock P.M., the amendment was *rejected*.

Mr. Tarr moved that the bill be amended by inserting at the end thereof the following:-

“SECTION_. Notwithstanding any general or special law to the contrary the department of higher education will conduct a review of the current practice and policies at each public or private degree-granting post-secondary institution of higher education on dating violence, domestic violence, sexual assault and stalking.”

The amendment was *rejected*.

Ms. Creem and Ms. Gobi moved that the bill be amended by inserting the following section after section 2:-

“SECTION 2A. Section 97B of chapter 41 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by striking out, in lines 30 to 33, inclusive, the words ‘for a period of at least six months upon the written request of the victim at the time the evidence is obtained upon forms provided to such victim by such hospital’ and inserting in place thereof the following words:- at the crime lab where the testing occurs until the expiration of the applicable statute of limitations, in accordance with section 63 of chapter 277.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at twenty-two minutes before three o'clock P.M., on motion of Ms. Creem, as follows, to wit (yeas 40 – nays 0) **[Yeas and Nays No. 521]:**

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 40.

NAYS – 0.

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

Ms. Spilka moved that the bill be amended in section 2, by inserting after the word “institution”, in line 131, the first time it appears, the following words:- “in an aggregated format”; in said section 2, by striking out, in line 138, the words “rape kit” and

inserting in place thereof the following words:- “sexual assault evidence collection kit”; and in section 3, by striking out, in line 339, the word “January” and inserting in place thereof the following word:- “July”.

The amendment was adopted.

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

The bill (Senate, No. 2465, amended) was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at eighteen minutes before three o'clock P.M., on motion of Ms. Chandler, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 522]:**

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at sixteen minutes before three o'clock P.M., the bill was passed to be engrossed.

Sent to the House for concurrence.

The Senate Bill promoting restorative justice practices (Senate, No. 71),-- **was read a second time.**

Pending the question on adoption of the amendment previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2467), and pending the main question on ordering the bill to a third reading, on motion of Mr. Eldridge, the bill was recommitted to the committee on Ways and Means.

Recess.

There being no objection, at ten minutes before three o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the President declared a recess; and, at five minutes before six o'clock P.M., the Senate reassembled, the President in the Chair.

At four minutes before six o'clock P.M., Mr. Tarr doubted the presence of a quorum. The President having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently, at two minutes before six o'clock P.M., a quorum was declared present.

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

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

Authorizing the commissioner of capital asset management and maintenance to convey a certain parcel of land in the town of Concord (see Senate, No. 2272); and

Authorizing the Division of Capital Asset Management and Maintenance to grant an easement in certain land to the city of Salem (see House, No. 3970, amended).

Engrossed Bills — Land Takings for Conservation Etc.

An engrossed Bill authorizing the town of Middleborough to exchange certain parcels of conservation land (see Senate, No. 2090, changed and amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at fourteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 523**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at a quarter past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the temporary use of the Clapp Elementary School property in the City of Woburn for civic purposes (see Senate, No. 2249) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other

easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at a quarter past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 524]:**

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at a quarter past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Marlborough (see House, No. 3560, changed and amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at a quarter past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 525]:**

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.

O'Connor, Patrick M.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Ross, Richard J.

Fattman, Ryan C.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – **39.**

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at a quarter past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the Department of Fish and Game to acquire land of the town of Townsend (see House, No. 3748, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at sixteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 526**]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at sixteen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the Nantucket Islands Land Bank to convey certain parcels of land held for open space, recreational or conservation purposes to the town of Nantucket for open space, recreational or conservation purposes (see House, No. 3892, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at seventeen minutes past six o'clock P.M., as follows, to wit (yeas 39 -- nays 0) [Yeas and Nays No. 527]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.

Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at seventeen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the change in use of certain park land in the city of Springfield (see House, No. 4159) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at seventeen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 528]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at seventeen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill relative to the conveyance of an easement in the city of Chicopee (see House, No. 4441) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at eighteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 529]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at eighteen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the city of Salem to convey a certain parcel of park land (see House, No. 4464) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at eighteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 530]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.

O'Connor, Patrick M.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Ross, Richard J.

Fattman, Ryan C.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at eighteen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the division of capital asset management and maintenance to convey a certain parcel of land in the town of Stoneham (see House, No. 4519) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at nineteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 531]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at nineteen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the department of capital asset management and maintenance to lease certain land in the town of Hull to The Friends of the Paragon Carousel, Inc (see Senate, No. 2219) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at nineteen minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 532]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at nineteen minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Shrewsbury (see Senate, No. 2406) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 533]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at twenty minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the Commonwealth to grant an easement to the town of Barnstable and the town of Barnstable to grant or assign several conservation restrictions to the Commonwealth (see Senate, No. 2474) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 534]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.

O'Connor, Patrick M.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at twenty-one minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to grant a water main easement to the town of Bellingham (see Senate, No. 2475) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-one minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 535]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.

O'Connor, Patrick M.

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Ross, Richard J.

Fattman, Ryan C.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at twenty-one minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

An engrossed Bill authorizing the city of Springfield to lease certain land (see House, No. 3818, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-one minutes past six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 536]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at twenty-two minutes past six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Emergency Preamble Adopted.

An engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey an easement over a certain parcel of land in the town of Dracut (see House, No. 4220), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 28 to 0.

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

Orders of the Day.

The Orders of the Day were considered, as follows:

There being no objection, one matter was taken out of order and considered, as follows:

The Senate Bill relative to the creative economy (Senate, No. 992),-- was read a second time.

After remarks, and pending the question on adoption of the amendment previously recommended by the committee on Ways and Means substituting a new draft with the same title (Senate, No. 2451), and pending the main question on ordering the bill to a third reading, Messrs. Rodrigues, Tarr, Ross, deMacedo, Fattman, Humason and OConnor moved that the proposed new draft be amended by striking section 1 and inserting the following sections:-

“SECTION 1. Section 148B of chapter 149 of the General Laws, as appearing in the 2014 Official Edition, is hereby amended by inserting after the paragraph designation ‘(a)’ in line 1, the following numeral:- (1)

SECTION 2. Said section 148B of said chapter 149, as so appearing, is hereby further amended by inserting after the word ‘performed.’, in line 11, the following words:- (a)(2) An individual who has pre-registered as a payroll-taxpaying entity with the Department of Revenue and has attested that said registration is being provided ‘voluntarily and free from coercion by any person or entity’ shall be considered to have satisfied test (2) in (a)(1) above if the contract for work:

(1) Provides compensation that equals or exceeds \$30 per hour, or \$1,200 per week, or \$5,160 per month, or

(2) Involves either: a) the provision of services requiring professional certification or licensure and the individual possesses such certification or licensure; or b) conducting business in a franchise relationship subject to the rules and regulations of the Federal Trade Commission, and the relationship complies with those rules and regulations, or

(3) Provides for work that by occupational definition consistently requires any of the following: (a) exercise of discretion and independent judgment with respect to matters of significance; (b) advanced knowledge in a field of science or learning; or (c) invention, imagination, intellect, creativity, originality, or talent in a recognized field or artistic or creative endeavor, or

(4) Grants the individual either ownership of or copyright to the work product.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at fourteen minutes past seven o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 11 – nays 29) [Yeas and Nays No. 537]:

YEAS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Rodrigues, Michael J.

Gobi, Anne M.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E.

Lovely, Joan B.

Timilty, James E. – 11.

Moore, Michael O.

NAYS.

Barrett, Michael J.	Joyce, Brian A.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	Pacheco, Marc R.
Donoghue, Eileen M.	Rosenberg, Stanley C.
Downing, Benjamin B.	Rush, Michael F.
Eldridge, James B.	Spilka, Karen E.
Flanagan, Jennifer L.	Welch, James T.
Forry, Linda Dorcena	Wolf, Daniel A. – 29.
Jehlen, Patricia D.	

The yeas and nays having been completed at a seventeen minutes past seven o'clock P.M., the amendment was *rejected*.

Messrs. Tarr, Wolf, deMacedo, Fattman, Humason, OConnor and Ross moved that the proposed new draft be amended by adding the following section:-

“SECTION 2. There shall be a task force to examine and make recommendations on the independent contractor classification in the commonwealth. The task force shall consist of: the senate and house chairs of the joint committee on labor and workforce development, who shall serve as co-chairs; the secretary of labor and workforce development or a designee; the attorney general or a designee; 2 members of the house of representatives, 1 of whom shall be appointed by the minority leader; 2 members of the senate, 1 of whom shall be appointed by the minority leader; 1 member representing Associated Industries of Massachusetts, Inc.; 1 member representing Associated Builders and Contractors, Inc.; 1 member representing Associated General Contractors of Massachusetts, Inc.; 1 member representing Associated Subcontractors of Massachusetts, Inc.; 1 member representing the Massachusetts Building Trades Council; 1 member representing the New England Regional Council of Carpenters; 1 member representing the Service Employees International Union; 1 member representing Massachusetts High Technology Council, Inc.; 1 member representing the National Federation of Independent Business; 1 member representing Greater Boston Legal Services, Inc.; 1 member representing Community Labor United, Inc.; 1 member representing the Massachusetts Artists Leaders Coalition; and 1 member representing the Massachusetts AFL-CIO.

The task force shall file a report containing its findings and recommendations, including draft legislation necessary to

carry out its recommendations, with the clerks of the house of representatives and senate, the senate and house chairs of the joint committee on economic development and emerging technologies and the chairs of the house and senate committees on ways and means not later than June 31, 2017.”.

After debate, the amendment was adopted.

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

The bill (Senate, No. 2451, amended) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.

Suspension of Senate Rule 38A.

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

Recess.

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

PAPERS FROM THE HOUSE

Engrossed Bill — Land Taking for Conservation Etc.

An engrossed Bill authorizing the Commissioner of Capital Asset Management and Maintenance to convey an easement over a certain parcel of land in the town of Dracut (see House, No. 4220) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,— was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-eight minutes before nine o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 538]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.

O'Connor Ives, Kathleen

Donnelly, Kenneth J.

OConnor, Patrick M.

Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at twenty minutes before nine o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Engrossed Bills.

The following engrossed bills (all of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

Relative to the composition of the Salem Board of Health (see House, No. 3344);
Designating a certain bridge in the city of Boston as The Honorable Arthur J. Lewis, Jr. Bridge (see House, No. 3637, amended);
Relative to the maximum age of special police officers in the city known as the town of Bridgewater (see House, No. 3686);
Relative to the creation of a renewable energy fund in the town of Dedham (see House, No. 3881); and
Establishing the Somerville municipal job creation and retention trust (see House, No. 4303).

*Message from the Governor — Reductions and Disapprovals
General Appropriations Bill.*

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2017 for the maintenance of the departments, boards commissions, institutions and certain activities of the Commonwealth, for interest, sinking funds and serial bond requirements and for certain permanent improvements. (see House, No. 4450), which on Friday, July 1, 2016, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

The message (House, No. 4505) was read; and the Senate proceeded to reconsider several items, which had been reduced or disapproved in accordance with the provisions of the Constitution.

Item 1231-1000 (For the Rate Relief Component of the MWRA) was considered as follows:

1231-1000 For the Commonwealth Sewer Rate Relief Fund, established pursuant to section 2Z of chapter 29 of the General Laws.....\$1,100,000.

The Governor reduced this item by \$600,000.

The question on passing item 1231-1000, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at fourteen minutes before nine o'clock P.M., as follows, to wit (yeas 36 — nays 3) [Yeas and Nays No. 539]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.

Joyce, Brian A.

Welch, James T.

Keenan, John F.

Wolf, Daniel A. – 36.

NAYS.

deMacedo, Viriato M.

Humason, Donald F., Jr. – 3.

Fattman, Ryan C.

The yeas and nays having been completed at fourteen minutes before nine o'clock P.M., item 1231-1000, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1595-1067 (DSTI Trust Fund) was considered as follows:

1595-1067 For an operating transfer to the Delivery System Transformation Initiatives Trust Fund established in section 35UU of chapter 10 of the General Laws; provided, that these funds shall be expended under the delivery system transformation initiative master plan and hospital-specific plans approved in the Mass Health demonstration waiver under section 1115 of the Social Security Act, as codified at 42 U.S.C. section 1315 for state or federal fiscal year 2016; provided further, that all payments from the fund shall be: (a) subject to the availability of federal financial participation; (b) made only under federally-approved payment methods; (c) consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services; and (d) subject to the terms and conditions of an agreement with the executive office of health and human services; provided further, that the secretary of health and human services shall make payments of up to \$49,338,667 from the fund to the Cambridge public health commission for federal fiscal year 2017 only after the Cambridge public health commission transfers up to \$24,669,334 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of the payment; and provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than March 15, 2017 on: (a) the payments made to each hospital; (b) the investments each hospital has made with this funding; and (c) each hospital's performance on the quality measures assessed under the delivery system transformation initiatives program.....\$196,252,001.

The Governor reduced this item by \$9,345,334 and struck the following wording "; provided further, that the secretary of health and human services shall make payments of up to \$49,338,667 from the fund to the Cambridge public health commission for federal fiscal year 2017 only after the Cambridge public health commission transfers up to \$24,669,334 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of the payment" and inserted the words "; provided further, that the secretary of health and human services shall make payments of up to \$44,853,333 from the fund to the Cambridge public health commission for federal fiscal year 2017 only after the Cambridge public health commission transfers up to \$22,426,667 of its funds to the Delivery System Transformation Initiatives Trust Fund using a federally-permissible source of funds which shall fully satisfy the non-federal share of the payment".

After remarks, the question on passing item 1595-1067 contained in section 2E, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eleven minutes before nine o'clock P.M., as follows, to wit (yeas 34 — nays 5) [Yeas and Nays No. 540]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. - 34.

NAYS.

deMacedo, Viriato M.	Ross, Richard J.
Fattman, Ryan C.	Tarr, Bruce E. - 5.
OConnor, Patrick M.	

The yeas and nays having been completed at eleven minutes before nine o'clock P.M., item 1595-1067, contained in section 2E, stands, in concurrence, notwithstanding the reduction and the objection of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-2003 (Uniform Law Commission) was considered as follows:

1599-2003 For the Uniform Law Commission; provided, that prior fiscal year payments may be payable from this item.....\$70,000.

The Governor disapproved this item.

The question on passing item 1599-2003, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eleven minutes before nine o'clock P.M., as follows, to wit (yeas 33 -- nays 6) [Yeas and Nays No. 541]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Gobi, Anne M.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 33.
Joyce, Brian A.	

NAYS.

deMacedo, Viriato M.	OConnor, Patrick M.
-----------------------------	----------------------------

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at ten minutes before nine o'clock P.M., item 1599-2003, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-2014 (Victim Assistance) was considered as follows:

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

The Governor disapproved of this item.

The question on passing item 1599-2014, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes before nine o'clock P.M., as follows, to wit (yeas 38 — nays 0) [Yeas and Nays No. 542]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Ross, Richard J.

Fattman, Ryan C.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. - 38.

NAYS - 0.

ANSWERED "PRESENT".

Rodrigues, Michael J. (*present*) - 1.

The yeas and nays having been completed at ten minutes before nine o'clock P.M., item 1599-2014, contained in section 2, stands in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000-9501 (Municipal Libraries Local Aid) was considered as follows:

7000-9501 For state aid to public libraries; provided, that notwithstanding any general or special law to the contrary, no city or town shall receive funds from this item in any year when the appropriation of the city or town for free public library service is below an amount equal to 102.5 per cent of the average of the appropriations for free public library services for the 3 years immediately preceding; provided further, that notwithstanding any general or special law to the contrary, the board of library commissioners may grant waivers in excess of the waiver limit set forth in the second paragraph of section 19A of chapter 78 of the General Laws in fiscal year 2017 for a period of not more than 1 year; provided further, that notwithstanding any general or special law to the contrary, of the amount by which this item exceeds the amount appropriated in item 7000-9501 of section 2 of chapter 194 of the acts of 1998, funds shall be distributed under the guidelines of the municipal equalization grant program, the library incentive grant program and the nonresident circulation offset program; and provided further, that notwithstanding any general or special law to the contrary, any payment made under this item shall be deposited with the treasurer of the city or town and held in a separate account and shall be expended by the public library of that city or town without appropriation.....\$9,000,000

The Governor reduced this item by \$102,993.

The question on passing item 7000-9501, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before nine o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 543]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at --- seven minutes before nine o'clock P.M., item 7000-9501, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000 – 9508 (Center for the Book) was considered as follows:

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

The Governor disapproved of this item.

The question on passing item 7000-9508, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes before nine o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 544]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at ---six minutes before nine o'clock P.M., item 7000-9508, contained in section 2, stands in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-0032 (Innovation Institute at Mass Tech Collaborative) was considered as follows:

7002-0032 For a transfer to the John Adams Innovation Institute Fund established in section 6A of chapter 40J of the General Laws.....\$1,000,000.

The Governor reduced this item by \$500,000.

The question on passing item 7002-0032, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes before nine o'clock P.M., as follows, to wit (yeas 32 — nays 7) [Yeas and Nays No. 545]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 32.

NAYS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 7.

Montigny, Mark C.

The yeas and nays having been completed at --six minutes before nine o'clock P.M., item 7002-0032, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-1075 (Workforce Competitiveness Trust Fund) was considered as follows:

7002-1075. For the Workforce Competitiveness Trust Fund established in section 2WWW of chapter 29 of the General Laws.....\$1,000,000.

The Governor reduced this item by \$500,000.

The question on passing item 7002-1075, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes before nine o'clock P.M., as follows, to wit (yeas 34 — nays 5) [Yeas and Nays No. 546]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 34.

NAYS.

deMacedo, Viriato M.	OConnor, Patrick M.
Fattman, Ryan C.	Tarr, Bruce E. – 5.
Humason, Donald F., Jr.	

The yeas and nays having been completed at five minutes before nine o'clock P.M., item 7002-1075, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-1502 (Transformative Development Fund) was considered as follows:

7002-1502 For the Transformative Development Fund established in section 46 of chapter 23G of the General Laws.....\$500,000.

The Governor reduced this item by \$250,000.

The question on passing item 7002-1502, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes before nine o'clock P.M., as follows, to wit (yeas 33 — nays 6) [Yeas and Nays No. 547]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Gobi, Anne M.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 33.
Joyce, Brian A.	

NAYS.

deMacedo, Viriato M.	OConnor, Patrick M.
Fattman, Ryan C.	Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at four minutes before nine o'clock P.M., item 7002-1502, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-1508 (Mass Tech Collaborative) was considered as follows:

7002-1508 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 establish programs that provide advice and training from successful, experienced entrepreneurs for startup enterprises and that create a talent pipeline to technology startups and innovation companies; provided, that an entrepreneur and startup mentoring program shall be established, in consultation with the Massachusetts Technology Development Corporation established in section 2 of chapter 40G and doing business as MassVentures, to provide assistance, mentoring and advice to startups and innovation companies by connecting early-stage entrepreneurs, technology startups and small businesses with successful, experienced business enterprises and capital financing; provided further, that funds shall be expended for paid internships for students seeking careers in technology and innovation industries to work with companies competing actively in those fields; provided further, that the Massachusetts Technology Collaborative shall seek private funds necessary to match contributions equal to \$1 for every \$1 contributed by the Massachusetts Technology Collaborative through the internship program; provided further, that as a condition of such grants being awarded, the Massachusetts Technology Collaborative shall reach an agreement with the grant recipient on performance measures and indicators that shall be used to evaluate the performance of the grant recipient in carrying out the activities described in the recipient's application; provided further, that the Massachusetts Technology Collaborative shall file annual reports for the duration of the programs with the chairs of the senate and house committees on ways and means and the senate and house chairs of the joint committee on economic development and emerging technologies, no later than June 15, 2017; provided further, that the paid internship program report shall include the number of placements of students in paid internships during the academic year and an analysis of the impact of the program on the ability of its participants to enter the full-time job market in the technology and innovation industries after graduation; provided further, that the entrepreneurship program report shall include an overview of the activities of the programs, the number of participants in the programs and an analysis of the impact of the programs on the success of the participants' startup business ventures; and provided further, that the funds appropriated in this item shall not revert but shall be made available for these purposes through June 30, 2018..... \$1,500,000.

The Governor disapproved this item.

The question on passing item 7002-1508, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at four minutes before nine o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 548]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Moore, Michael O.

deMacedo, Viriato M.

O'Connor Ives, Kathleen

DiDomenico, Sal N.

O'Connor, Patrick M.

Donnelly, Kenneth J.

Pacheco, Marc R.

Donoghue, Eileen M.

Rodrigues, Michael J.

Downing, Benjamin B.

Ross, Richard J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 37.

Joyce, Brian A.

NAYS.

Fattman, Ryan C.

Montigny, Mark C. – 2.

The yeas and nays having been completed at four minutes before nine o'clock P.M., item 7002-1508, contained in section 2, stands in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-1512 (Big Data Innovation and Workforce Fund) was considered as follows:

7002-1512 For the Big Data Innovation and Workforce Fund established in section 6H of chapter 40J of the General Laws.....\$2,000,000.

The Governor disapproved this item.

The question on passing item 7002-1512 contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes before nine o'clock P.M., as follows, to wit (yeas 33 — nays 6) [Yeas and Nays No. 549]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Humason, Donald F., Jr.

Wolf, Daniel A. – 33.

Jehlen, Patricia D.

NAYS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Ross, Richard J.

Montigny, Mark C.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at three minutes before nine o'clock P.M., item 7002-1512, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-1593 (Digital Health Internship Incentive Fund) was considered as follows:

7002-1593 For the Digital Health Internship Incentive Trust Fund; provided, that not less than \$100,000 shall be expended for direct stipends as established in section 6J of chapter 40J of the General Laws
.....\$100,000.

The Governor disapproved this item.

The question on passing item 7002-1593, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes before nine o'clock P.M., as follows, to wit (yeas 33 - nays 6) [Yeas and Nays No. 550]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Timilty, James E.
Gobi, Anne M.	Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 33.

Joyce, Brian A.

NAYS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at two minutes before nine o'clock P.M., item 7002-1593, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0332-0100 (District Court Administrative Staff) was considered as follows:

0332-0100 For the operation of the district court department, including a civil conciliation program; provided, that notwithstanding the provisions of any general or special law to the contrary, the district court of Chelsea shall be the permanent location for the northern trial session to handle 6- person jury cases; provided further, that all personnel within said district court whose duties related to said northern trial session shall report to the clerk-magistrate of said district court; provided further, that the clerk-magistrate shall utilize whatever space within the facility-at-large the clerk-magistrate deems necessary to comply with Supreme Judicial Court Rule 3:12, Canon 3(A)6; provided further, that not less than \$100,000 shall be expended for capital improvements at Hingham District Court; and provided further, that not less than \$100,000 shall be expended for the Hampden County Bar Association to conduct a feasibility study to determine whether there is a need to relocate or rehabilitate the Hampden County Hall of Justice in the city of Springfield.....\$66,054,290.

The Governor reduced this item by \$858,543 and struck the following wording "; provided further, that not less than \$100,000 shall be expended for capital improvements at Hingham District Court; and provided further, that not less than \$100,000 shall be expended for the Hampden County Bar Association to conduct a feasibility study to determine whether there is a need to relocate or rehabilitate the Hampden County Hall of Justice in the city of Springfield".

The question on passing item 0332-0100 contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at one minute before nine o'clock P.M., as follows, to wit (yeas 31— nays 8) [Yeas and Nays No. 551]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. - 31.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia	Humason, Donald F., Jr.
deMacedo, Viriato M.	OConnor, Patrick M.
Downing, Benjamin B.	Ross, Richard J.
Fattman, Ryan C.	Tarr, Bruce E. - 8.

The yeas and nays having been completed at one minute before nine o'clock P.M., item 0332-0100, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0340-0600 (Northwestern District Attorney's Office) was considered as follows:

0340-0600 For the Northwestern district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable under rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; provided further, that not less than \$112,260 shall be expended for the anti-crime task force; and provided further, that no assistant district attorney shall be paid an annual salary of less than \$45,000.....\$6,098,538.

The Governor reduced this item by \$172,123 and struck the following wording "; provided further, that not less than \$112,260 shall be expended for the anti-crime task force".

The question on passing item 0340-0600, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by

Chapter I, Section I, Article II, of the Constitution, at one minute before nine o'clock P.M., as follows, to wit (yeas 34—
nays 5) [Yeas and Nays No. 552]:

YEAS.

Barrett, Michael J.	Joyce, Brian A.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Chang-Diaz, Sonia	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 34.

NAYS.

deMacedo, Viriato M.	Ross, Richard J.
----------------------	------------------

Fattman, Ryan C.

Tarr, Bruce E. – 5.

OConnor, Patrick M.

The yeas and nays having been completed at one minute before nine o'clock P.M., item 0340-0600, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0511-0200 (Archives Division Administration) was considered as follows:

0511-0200 For the operation of the archives division; provided, that \$200,000 shall be expended for preservation matching grants for municipalities and nonprofit organizations to preserve veterans monuments, memorials and other significant sites and historic documents; and provided further, that the program shall be administered by the state historic records advisory board.....\$565,557.

The Governor reduced this item by \$203,656 and struck the following wording: "; provided, that \$200,000 shall be expended for preservation matching grants for municipalities and nonprofit organizations to preserve veterans monuments, memorials and other significant sites and historic documents; and provided further, that the program shall be administered by the state historic records advisory board".

The question on passing item 0511-0200, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nine o'clock P.M., as follows, to wit (yeas 33 — nays 6) [Yeas and Nays No. 553]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

Pacheco, Marc R.

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 33.

Joyce, Brian A.

NAYS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at nine o'clock P.M., item 0511-0200, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0610-0010 (Financial Literacy Programs) was considered as follows:

0610-0010 For the Economic Empowerment Trust Fund established in section 35QQ of chapter 10 of the General Laws; provided, that not less than \$350,000 shall be expended for a 2-year low-income college savings matching grant program through a public private partnership in not less than 5 cities or towns in geographically diverse regions that shall assist low-income individuals or families with children, in grades 7 to 12, inclusive, establish college savings accounts; provided further, that each college savings account established shall require the individual or family to contribute not less than \$100 in the first calendar year; provided further, that the aggregate of all matching amounts for any individual or family shall not exceed \$500 in any calendar year; provided further, that the treasurer may enter into agreements with other entities to provide educational awareness, engagement and planning for postsecondary education to parents whose children participate in the program; and provided further, that \$60,000 shall be expended for Budget Buddies, Inc. in the town of Chelmsford to operate a program that mentors and teaches financial literacy to low-income women.....\$810,000.

The Governor reduced this item by \$379,350 and struck the following wording "; provided, that not less than \$350,000 shall be expended for a 2-year low-income college savings matching grant program through a public private partnership in not less than 5 cities or towns in geographically diverse regions that shall assist low-income individuals or families with children, in grades 7 to 12, inclusive, establish college savings accounts; provided further, that each college savings account established shall require the individual or family to contribute not less than \$100 in the first calendar year; provided further, that the aggregate of all matching amounts for any individual or family shall not exceed \$500 in any calendar year; provided further, that the treasurer may enter into agreements with other entities to provide educational awareness, engagement and planning for postsecondary education to parents whose children participate in the program; and provided further, that \$60,000 shall be expended for Budget Buddies, Inc. in the town of Chelmsford to operate a program that mentors and teaches financial literacy to low-income women".

The question on passing item 0610-0010, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nine o'clock P.M., as follows, to wit (yeas 34 — nays 5) [Yeas and Nays No. 554]:

YEAS.

Barrett, Michael J.	Joyce, Brian A.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Lesser, Eric P.
Brownsberger, William N.	Lewis, Jason M.
Chandler, Harriette L.	L'Italien, Barbara A.
Creem, Cynthia Stone	Lovely, Joan B.
deMacedo, Viriato M.	McGee, Thomas M.
DiDomenico, Sal N.	Montigny, Mark C.
Donnelly, Kenneth J.	Moore, Michael O.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 34.

NAYS.

Chang-Diaz, Sonia	Ross, Richard J.
Fattman, Ryan C.	Tarr, Bruce E. – 5.

OConnor, Patrick M.

The yeas and nays having been completed at one minute past nine o'clock P.M., item 0610-0010, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1599-7114 (Umass Springfield) was considered as follows:

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

The Governor disapproved of this item.

The question on passing item 1599-7114, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at one minute past nine o'clock P.M., as follows, to wit (yeas 32 — nays 6) [Yeas and Nays No. 555]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

Lewis, Jason M.

Chandler, Harriette L.

L'Italien, Barbara A.

Chang-Diaz, Sonia

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

O'Connor Ives, Kathleen

Downing, Benjamin B.

Rodrigues, Michael J.

Eldridge, James B.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Timilty, James E.

Gobi, Anne M.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 32.

NAYS.

deMacedo, Viriato M.

OConnor, Patrick M.

Fattman, Ryan C.

Ross, Richard J.

Humason, Donald F., Jr.

Tarr, Bruce E. – 6.

The yeas and nays having been completed at ---two minutes past nine o'clock P.M., item 1599-7114, contained in section 2, stands in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2000-0100 (EOEEA Administration) was considered as follows:

2000-0100 For the operation of the office of the secretary of energy and environmental affairs, including the water resources commission, the hazardous waste facility site safety council, the coastal zone management program and environmental impact reviews conducted under chapter 30 of the General Laws; provided, that the secretary may take all actions necessary or appropriate to consolidate human resource functions of the department of public utilities, the department of environmental protection, the department of agricultural resources, the department of conservation and recreation, the department of fish and game, and the department of energy resources that are located within the executive office; provided further, that not less than \$100,000 shall be allocated for the Swansea beach revitalization project in the town of Swansea for beach renourishment and the creation of a feeder beach; and provided further, that not less than \$50,000 shall be expended for energy conservation projects for school and town buildings in Belmont.....\$7,672,881.

The Governor reduced this item by \$329,471 and struck the following wording "; provided further, that not less than \$100,000 shall be allocated for the Swansea beach revitalization project in the town of Swansea for beach renourishment and the creation of a feeder beach; and provided further, that not less than \$50,000 shall be expended for energy conservation projects for school and town buildings in Belmont".

The question on passing item 2000-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes past nine o'clock P.M., as follows, to wit (yeas 36 — nays 3) [Yeas and Nays No. 556]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 36.

NAYS.

Chang-Diaz, Sonia	Montigny, Mark C. – 3.
Fattman, Ryan C.	

The yeas and nays having been completed at two minutes past nine o'clock P.M., item 2000-0100, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2030-1000 (Environmental Law Enforcement) was considered as follows:

2030-1000 For the operation of the office of environmental law enforcement; provided, that environmental police officers shall provide monitoring under the National Shellfish Sanitation Program; provided further, that funds from this item shall not be expended for the purposes of item 2030-1004; provided further, that the office of environmental law enforcement shall seek technical assistance from the executive office of public safety and security to identify and apply for federal grant opportunities available to the office of environmental law enforcement; and provided further, that not less

than \$40,000 shall be expended for the monitoring of Wallum lake in Douglas state forest.....\$10,547,986.

The Governor reduced this item by \$426,714 and struck the following wording "; and provided further, that not less than \$40,000 shall be expended for the monitoring of Wallum lake in Douglas state forest".

The question on passing item 2030-1000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes past nine o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 557]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 37.

Keenan, John F.

NAYS.

Chang-Diaz, Sonia

deMacedo, Viriato M. – 2.

The yeas and nays having been completed at three minutes past nine o'clock P.M., item 2030-1000, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2200-0100 (DEP Administration) was considered as follows:

2200-0100 For the operation of the department of environmental protection, including the environmental strike force, the bureau of planning and evaluation, the bureau of resource protection, the bureau of waste prevention, the Senator William X. Wall Experiment Station and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established under section 18 of chapter 21A of the General Laws; provided, that \$125,000 shall be expended for the Buzzards Bay Coalition for coastal water quality monitoring in Buzzards Bay and Vineyard Sound; provided further, that not less than \$50,000 shall be expended to the Falmouth Water Stewards, Inc. for water quality monitoring in the town of Falmouth; provided, that not less than \$35,000 shall be expended for the pipe cleaning program in Webster; and provided further, that not less than \$25,000 shall be expended to enter into an agreement with a nonprofit organization to operate a water quality monitoring program in the Sudbury, Assabet and Concord rivers.....\$25,037,437.

The Governor reduced this item by \$1,500,000 and struck the following wording "; provided, that \$125,000 shall be expended for the Buzzards Bay Coalition for coastal water quality monitoring in Buzzards Bay and Vineyard Sound; provided further, that not less than \$50,000 shall be expended to the Falmouth Water Stewards, Inc. for water quality monitoring in the town of Falmouth; provided, that not less than \$35,000 shall be expended for the pipe cleaning program in Webster; and provided further, that not less than \$25,000 shall be expended to enter into an agreement with a nonprofit organization to operate a water quality monitoring program in the Sudbury, Assabet and Concord rivers".

The question on passing item 2200-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes past nine o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 558]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 37.
Joyce, Brian A.	

NAYS.

Chang-Diaz, Sonia	Montigny, Mark C. – 2.
-------------------	------------------------

The yeas and nays having been completed at four minutes past nine o'clock P.M., item 2200-0100, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2200-0107 (Redemption Centers Operations) was considered as follows:

2200-0107 For technical assistance, grants and support of efforts consistent with the Massachusetts Recycling and Solid Waste Master Plan and the Massachusetts Climate Protection Plan; provided, that funds may be expended for a recycling industries reimbursement program pursuant to section 241 of chapter 43 of the acts of 1997; and provided further, that \$50,000 shall be expended to conduct a feasibility study on connecting the town of Sutton to public sewer and water treatment services..... \$475,000.

The Governor reduced this item by \$50,000 and struck the following wording “; and provided further, that \$50,000 shall be expended to conduct a feasibility study on connecting the town of Sutton to public sewer and water treatment services”.

The question on passing item 2200-0107, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by

Chapter I, Section I, Article II, of the Constitution, at four minutes past nine o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 559]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Fattman, Ryan C.

Ross, Richard J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. — 37.

Keenan, John F.

NAYS.

Chang-Diaz, Sonia

deMacedo, Viriato M. – 2.

The yeas and nays having been completed at five minutes past nine o'clock P.M., item 2200-0107, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2300-0101 (Riverways Protection Program) was considered as follows:

2300-0101 For the division of ecological restoration and the riverways program and for the promotion of public access to rivers and wetland restoration, including grants to public and nonpublic entities; provided, that the positions funded in this line item shall not be subject to chapter 31 of the General Laws; provided further, that not less than \$25,000 shall be expended to develop a recreation management plan for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat; provided further, that not less than \$50,000 shall be expended for the town of Winchester to restore the Aberjona riverbank; provided further, that not less than \$50,000 shall be expended for emergency repairs and design and engineering plans for the restoration of Morse Pier in the town of Manchester-By-the-Sea; provided further, that not less than \$40,000 shall be expended to continue a phragmites mitigation plan in marshes between the city of Gloucester and the town of Salisbury, including high-resolution salinity mapping; and provided further, that not less than \$12,000 shall be expended to treat the invasive species Milfoil at Rock pond in the town of Georgetown.....\$680,889.

The Governor reduced this item by \$134,509 and struck the following wording "; provided further, that not less than \$25,000 shall be expended to develop a recreation management plan for the Franklin, Medway, and Bellingham Army Corps of Engineers flood plain and wildlife habitat; provided further, that not less than \$50,000 shall be expended for the town of Winchester to restore the Aberjona riverbank" and inserted the words "; provided further, that not less than \$40,000 shall be expended to continue a phragmites mitigation plan in marshes between the city of Gloucester and the town of Salisbury, including high-resolution salinity mapping; and provided further, that not less than \$12,000 shall be expended to treat the invasive species Milfoil at Rock pond in the town of Georgetown".

The question on passing item 2300-0101, contained in section 2, in concurrence, the reductions and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes past nine o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 560]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.

Moore, Michael O.

DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	O'Connor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 37.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia	Fattman, Ryan C. – 2.
-------------------	-----------------------

The yeas and nays having been completed at five minutes past nine o'clock P.M., item 2300-0101, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2330-0100 (Division of Marine Fisheries Administration) was considered as follows:

2330-0100 For the operation of the division of marine fisheries, including expenses of the Annisquam river marine research laboratory, marine research programs, a commercial fisheries program, a shellfish management program, including coastal area classification, mapping and technical assistance, the operation of the Newburyport shellfish purification plant and a shellfish classification program; provided, that funds shall be expended on a recreational fisheries program to be reimbursed by federal funds; provided further, that the division shall continue to develop strategies to improve federal regulations governing the commercial fishing industry and to promote sustainable fisheries; provided further, that \$400,000 shall be expended for the operation of the Newburyport shellfish purification plant; provided further, that the division shall offer wet storage and demanding services at the Newburyport shellfish purification plant as laid out in the report dated March 1, 2012; provided further, that for functions not being performed by the plant before July 1, 2012, the division may solicit competitive proposals for the utilization of excess processing capacity at the Newburyport shellfish purification plant, which may include proposals to offer wet storage and demanding services at the plant as described in the shellfish purification plant management plan dated March 1, 2012; provided further, that the division shall be under no obligation to consider or implement any proposal that the division determines would displace, impede or otherwise hinder the existing functions of the plant; provided further, that the division may enter into contracts based on proposals received and the division shall notify the house and senate

committees on ways and means not less than 60 days before taking any such action; provided further, that not less than \$50,000 shall be expended for programs at the Fishing Academy, Inc., for young people in greater Boston; provided further, that not less than \$450,000 shall be expended for a program of collaborative research by the Division of Marine Fisheries through the Marine Fisheries Institute, in collaboration with the School for Marine Science and Technology at the University of Massachusetts Dartmouth, that applies innovative technology to assess the biomass of fish, in the region managed by the New England Fishery Management Council; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the director of marine fisheries and counties; provided further, not less than \$25,000 shall be expended for a sediment aeration pilot project in the town of Falmouth; and provided further, that not less than \$50,000 shall be provided for a Great Marsh green crab trapping program.....\$6,298,094.

The Governor reduced this item by \$300,000 and struck the following wording "; provided further, that not less than \$50,000 shall be expended for programs at the Fishing Academy, Inc., for young people in greater Boston" and "; provided further, that not less than \$175,000 shall be expended for shellfish propagation in Barnstable, Dukes and Nantucket counties to be administered jointly by the director of marine fisheries and counties; provided further, not less than \$25,000 shall be expended for a sediment aeration pilot project in the town of Falmouth; and provided further, that not less than \$50,000 shall be provided for a Great Marsh green crab trapping programs".

The question on passing item 2330-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes past nine o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 561]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.

Fattman, Ryan C.

Ross, Richard J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at ---six minutes past nine o'clock P.M., item 2330-0100, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2511-0100 (DAR Administration) was considered as follows:

2511-0100 For the operation of the department of agricultural resources, including the division of administration, the integrated pest management program, the board of agriculture, the division of agricultural markets, the division of animal health, the division of agricultural conservation and technical assistance, the division of crop and pest services, including a program of laboratory services at the University of Massachusetts at Amherst, the expenses of the pesticide board and agency costs associated with the administration of other boards, commissions and committees chaired by the department; provided, that any buy local efforts included in this item shall include locally-harvested seafood which shall include, but not limited to, fish and shellfish; provided further, that not less than \$300,000 shall be expended to enhance the buy local effort in western, central, northeastern and southern Massachusetts; provided further, that not less than \$120,000 shall be expended to support the Massachusetts Farm to School Project, LLC; provided further, that not less than \$90,000 shall be expended for the apiary inspection program; provided further, that not less than \$50,000 shall be expended for the establishment and administration of a City Fruit Initiative within the New Bedford region to help tree owners grow healthy fruit, provide assistance in harvesting and preserving fruit, promote the sharing of extra fruit and work to protect urban fruit trees; provided further, that not less than \$200,000 shall be expended for the cost of all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of eastern equine encephalitis and west nile virus in Bristol and Plymouth counties; and provided further, that funds may be expended for the statewide 4-H program
.....\$5,629,445.

The Governor reduced this item by \$150,000 and struck the following wording "; provided further, that not less than \$50,000 shall be expended for the establishment and administration of a City Fruit Initiative within the New Bedford region to help tree owners grow healthy fruit, provide assistance in harvesting and preserving fruit, promote the sharing of extra fruit and work to protect urban fruit trees; provided further, that not less than \$200,000 shall be expended for the cost of all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of eastern equine encephalitis and west nile virus in Bristol and Plymouth counties" and inserted the words "; provided further, that not less than \$100,000 shall be expended for the cost of all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of eastern equine encephalitis and west nile virus in Bristol and Plymouth counties".

The question on passing item 2511-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes past nine o'clock P.M., as follows, to wit (yeas 37 -- nays 2) [Yeas and Nays No. 562]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 37.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia

Fattman, Ryan C. – 2.

The yeas and nays having been completed at eight minutes past nine o'clock P.M., item 2511-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2511-0105 (Emergency Food Assistance) was considered as follows:

2511-0105 For the purchase of supplemental foods for the emergency food assistance program within the Feeding America nationally-certified food bank system; provided, that the funds appropriated in this item shall reflect the Feeding America allocation formula in order to benefit the Commonwealth's 4 regional food banks; provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation in this item; provided further, that \$1,000,000 shall be expended for operating funds to distribute food for the Massachusetts emergency food assistance program; provided further, that not less than \$30,000 shall be expended to the Spanish American Center, Inc. in the city of Leominster to purchase a delivery truck to transport hot and cold meals; provided further, that not less than \$110,000 shall be expended for the operation of the Food for Free committee, Incorporated in the Cambridge Weekend Backpack Program; and provided further, that not less than \$25,000 shall be expended for Food for the World Inc.....\$17,665,000.

The Governor reduced this item by \$665,000 and struck the following wording: "; provided further, that not less than \$30,000 shall be expended to the Spanish American Center, Inc. in the city of Leominster to purchase a delivery truck to transport hot and cold meals; provided further, that not less than \$110,000 shall be expended for the operation of the Food for Free committee, Incorporated in the Cambridge Weekend Backpack Program; and provided further, that not less than \$25,000 shall be expended for Food for the World Inc".

The question on passing item 2511-0105, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eight minutes past nine o'clock P.M., as follows, to wit (yeas 38 - nays 1) [Yeas and Nays No. 563]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	O'Connor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at nine minutes past nine o'clock P.M., item 2511-0105, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0401 (Stormwater Management) was considered as follows:

2800-0401 For a program to provide stormwater management for all properties and roadways under the care, custody and control of the department of conservation and recreation; provided, that not less than \$50,000 shall be expended for the purpose of sampling and testing of storm water systems in Belmont.....\$465,854.

The Governor reduced this item by \$100,000 and struck the following wording "; provided that not less than \$50,000 shall be expended for the purpose of sampling and testing of storm water systems in Belmont".

The question on passing item 2800-0401, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nine minutes past nine o'clock P.M., as follows, to wit (yeas 38 - nays 1) [Yeas and Nays No. 564]:

YEAS.

Barrett, Michael J.	Keenan, John F.
---------------------	-----------------

Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at nine minutes past nine o'clock P.M., item 2800-0401, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0500 (DCR Beaches) was considered as follows:

2800-0500 For the existing maintenance, operational and infrastructure needs of the metropolitan beaches as set forth in section 70 of chapter 3 of the General Laws; provided, that not less than \$900,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the Department of Conservation and Recreation; provided further, that not less than \$50,000 shall be expended for Save the Harbor/Save the Bay's staff time, consultants and direct expenses to support the ongoing work of the Metropolitan Beaches Commission; provided further, that not less than \$50,000 shall be expended to address the cleanup of Pilayella algae in Lynn, Nahant and Revere; and provided further, that not less than \$100,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor/Save the Bay's Better Beaches Grants Program as recommended by the Metropolitan Beaches Commission\$1,100,000.

The Governor reduced this item by \$300,000 and struck the following wording "; provided, that not less than \$900,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the Department of Conservation and Recreation; provided further, that not less than \$50,000 shall be expended for Save the Harbor/Save the Bay's staff time, consultants and direct expenses to support the ongoing work of the Metropolitan Beaches Commission; provided further, that not less than \$50,000 shall be expended to address the cleanup of Pilayella algae in Lynn, Nahant and Revere; and provided further, that not less than \$100,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor/Save the Bay's Better Beaches Grants Program as recommended by the Metropolitan Beaches Commission" and inserted the words "; provided, that not less than \$800,000 shall be expended for the Metropolitan Beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the Metropolitan Beaches Commission in coordination with the Department of Conservation and Recreation".

The question on passing item 2800-0500, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes past nine o'clock P.M., as follows, to wit (yeas 36 - nays 3) [Yeas and Nays No. 565]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	O'Connor, Patrick M.

Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Gobi, Anne M.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. – 36.

NAYS.

Chang-Diaz, Sonia	Fattman, Ryan C. – 3.
deMacedo, Viriato M.	

The yeas and nays having been completed at ten minutes past nine o'clock P.M., item 2800-0500, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0501 (DCR Seasonals) was considered as follows:

2800-0501 For the operation of the beaches, pools and spray pools under the control of the department of conservation and recreation; provided, that the seasonal hires of the department's parks, beaches, pools and spray pools shall be paid from this item; provided further, that all beaches, pools and spray pools shall remain open and staffed from Memorial Day through Labor Day; provided further, that the beaches, pools and spray pools shall be fully maintained; provided further, that seasonal employees who are hired before the second Sunday preceding Memorial Day, whose employment continues beyond the Saturday following Labor Day and who received health insurance benefits in fiscal year 2016, shall continue to receive such benefits in fiscal year 2017 during the period of that employee's seasonal employment; provided further, that notwithstanding section 1 of chapter 31 of the General Laws, seasonal positions funded by this item shall be positions requiring the services of an incumbent, on either a full-time or less than full-time basis, beginning not earlier than April 1 and ending not later than November 30 or beginning not earlier than September 1 and ending not later than April 30; provided further, that notwithstanding said section 1 of said chapter 31, seasonal positions funded by this item shall not be filled by an incumbent for more than 8 months within a 12-month period; provided further, that \$300,000 shall be expended to provide for the building and maintenance of spray pools and splash pads in the city of Lowell; provided further, that that not less than \$50,000 shall be expended for the continued maintenance of chemical treatments, dredging and water chestnut removal at Coes Pond and Representative John J. Binienda memorial beach in the city of Worcester; and provided further that not less than \$84,500 shall be expended to reopen and staff Berry pond in the Harold Parker state forest\$15,695,936.

The Governor reduced this item by \$434,500 and struck the following wording "; provided further, that \$300,000 shall be expended to provide for the building and maintenance of spray pools and splash pads in the city of Lowell; provided further, that that not less than \$50,000 shall be expended for the continued maintenance of chemical treatments, dredging

and water chestnut removal at Coes Pond and Representative John J. Binienda memorial beach in the city of Worcester; and provided further that not less than \$84,500 shall be expended to reopen and staff Berry pond in the Harold Parker state forest".

The question on passing item 2800-0501, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eleven minutes past nine o'clock P.M., as follows, to wit (yeas 37 - nays 2) [Yeas and Nays No. 566]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 37.

Keenan, John F.

NAYS.

Chang-Diaz, Sonia

Fattman, Ryan C. – 2.

The yeas and nays having been completed at eleven minutes past nine o'clock P.M., item 2800-0501, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0700 (Office of Dam Safety) was considered as follows:

2800-0700 For the office of dam safety; provided, that the office shall, in collaboration with the department of environmental protection and the department of fish and game, establish and maintain a comprehensive inventory of all dams and develop a coordinated permitting and regulatory approach to dam removal for stream restoration and public safety; and provided further, that not less than \$25,000 shall be expended for dam inspections and repairs at Breed and Walden ponds in Lynn\$448,295.

The Governor reduced this item by \$75,000 and struck the following wording: "; and provided further, that not less than \$25,000 shall be expended for dam inspections and repairs at Breed and Walden ponds in Lynn".

The question on passing item 2800-0700, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at eleven minutes past nine o'clock P.M., as follows, to wit (yeas 37 - nays 2) [Yeas and Nays No. 567]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. - 37.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia	deMacedo, Viriato M. - 2.
-------------------	---------------------------

The yeas and nays having been completed at twelve minutes past nine o'clock P.M., item 2800-0700, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 3000-1000 (Early Education & Care Administration) was considered as follows:

3000-1000 For the administration of the department of early education and care; provided, that the department shall report on the first business day of each month to the joint committee on education, the joint committee on children, families and persons with disabilities, the house and senate committees on ways and means and the secretary of administration and finance on the unduplicated number of children on waiting lists for state-subsidized early education and care programs and services, including supportive child care services; provided further, that notwithstanding chapter 66A of the General Laws, the department of early education and care, the lead agencies of community partnership councils, the child care resource and referral agencies, the department of elementary and secondary education, the department of transitional assistance, the department of children and families, the department of housing and community development, the Children's Trust Fund and the department of public health, specifically early intervention, may share with each other personal data regarding the parents and children who receive services provided under early education and care programs administered by the commonwealth for waitlist management, program implementation and evaluation, reporting and policy development purposes; provided further, that the department shall issue monthly reports detailing the number and average cost of voucher and contracted slots funded by the department for items 3000-3060 and 3000-4060 delineated by age category; provided further, that said reports shall include the number of recipients subject to subsection (f) of section 110 of chapter 5 of the acts of 1995; provided further, that the department of early education and care shall provide the caseload forecasting office with enrollment data and any other information pertinent to caseload forecasting that is requested by the office on a monthly basis; provided further, that the information shall be provided in a manner that meets all applicable federal and state privacy and security requirements; and provided further, that not less than \$25,000 shall be expended for East End House in Cambridge to support its childcare program
.....\$5,666,766.

The Governor reduced this item by \$25,000 and struck the following wording:- "; and provided further, that not less than \$25,000 shall be expended for East End House in Cambridge to support its childcare program".

After remarks, the question on passing item 3000-1000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays,

as required by Chapter I, Section I, Article II, of the Constitution, at fourteen minutes past nine o'clock P.M., as follows, to wit (yeas 36 - nays 3) [Yeas and Nays No. 568]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Gobi, Anne M.	Spilka, Karen E.
Humason, Donald F., Jr.	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, James E.
Joyce, Brian A.	Welch, James T.
Keenan, John F.	Wolf, Daniel A. - 36.

NAYS.

Chang-Diaz, Sonia	Fattman, Ryan C. - 3.
--------------------------	------------------------------

deMacedo, Viriato M.

The yeas and nays having been completed at fourteen minutes past nine o'clock P.M., item 3000-1000, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Ms. Chandler in the Chair, item 4000-0005 (Safe and Successful Youth Initiative) was considered as follows:

4000-0005 For youth violence prevention program grants administered by the executive office of health and human services; provided, that the programs shall be targeted at reducing youth violence among young persons at highest risk for being perpetrators or victims of gun violence; provided further, that any new grants awarded from this item in fiscal year 2017 shall comply with the grant application requirements set forth in item 4000-0005 of section 2 of chapter 38 of the acts of 2013; provided further, that the executive office of health and human services may select the same evaluator in fiscal year 2017 as selected in fiscal year 2016; provided further, that the secretary shall report to the house and senate committees on ways and means not later than March 15, 2017 detailing: (a) successful grant applications; (b) a set of clearly-defined goals and benchmarks on which grant recipients shall be evaluated; and (c) outcomes and findings from the grant awards for fiscal year 2016; provided further, that funds may be set aside for the administration of these programs; and provided further, that these funds shall be available to those municipalities with the highest annual number of youth homicides and serious assaults as determined by the executive office of health and human services; provided further, that not less than \$25,000 shall be expended for the South End Community Center of Springfield, Inc.'s Community Youth Corps program; provided further, that not less than \$25,000 shall be expended for the Martin Luther King Jr. Family Services, Inc. to provide comprehensive youth development and violence prevention services to at-risk youth; and provided further, that not less than \$10,000 shall be expended for Springfield Partners, Inc. for the AWAKE program in the city of Springfield, to provide comprehensive youth gang violence prevention intervention services to at-risk youth\$6,560,000.

The Governor reduced this item by \$60,000 and struck the following wording "; provided further, that not less than \$25,000 shall be expended for the South End Community Center of Springfield, Inc.'s Community Youth Corps program; provided further, that not less than \$25,000 shall be expended for the Martin Luther King Jr. Family Services, Inc. to provide comprehensive youth development and violence prevention services to at-risk youth; and provided further, that not less than \$10,000 shall be expended for Springfield Partners, Inc. for the AWAKE program in the city of Springfield, to provide comprehensive youth gang violence prevention intervention services to at-risk youth".

After remarks, the question on passing item 4000-0005, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seventeen minutes past nine o'clock P.M., as follows, to wit (yeas 36 - nays 3) [Yeas and Nays No. 569]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

O'Connor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Ross, Richard J.

Forry, Linda Dorcena

Rush, Michael F.

Gobi, Anne M.

Spilka, Karen E.

Humason, Donald F., Jr.

Tarr, Bruce E.

Jehlen, Patricia D.

Timilty, James E.

Joyce, Brian A.

Welch, James T.

Keenan, John F.

Wolf, Daniel A. - 36.

NAYS.

Chang-Diaz, Sonia

Fattman, Ryan C. - 3.

deMacedo, Viriato M.

The yeas and nays having been completed at eighteen minutes past nine o'clock P.M., item 4000-0005, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4000-0008 (Crossroads) was considered as follows:

4000-0000 For year round out-of-school programs through the Crossroads Organization serving at-risk youth in eastern Massachusetts from the city of Boston to Cape Cod\$25,000.

The Governor disapproved this item.

The question on passing item 4000-0008, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-one minutes past nine o'clock P.M., as follows, to wit (yeas 38- nays 1) [Yeas and Nays No. 570]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. - 38.

NAYS.

Chang-Diaz, Sonia - 1.

The yeas and nays having been completed at twenty-one minutes past nine o'clock P.M., item 4000-0008, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4000-0014 (Edward Kennedy Community Health Center) was considered as follows:

4000-0014 For the Edward M. Kennedy Community Health Center, Inc. to professionally train community health workers to serve as the patient link to medical and social services for the disenfranchised population throughout the Worcester and MetroWest regions\$100,000.

The Governor disapproved this item.

The question on passing item 4000-0014, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-two minutes past nine o'clock P.M., as follows, to wit (yeas 38 - nays 1) [Yeas and Nays No. 571]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. - 38.

NAYS.

Chang-Diaz, Sonia - 1.

The yeas and nays having been completed at twenty-three minutes past nine o'clock P.M., item 4000-0014, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4000-0300 (EOHHS and MassHealth Administration) was considered as follows:

4000-0300 For the operation of the executive office of health and human services, including the operation of the managed care oversight board; provided, that the executive office shall provide technical and administrative assistance to agencies under the purview of the secretariat receiving federal funds; provided further, that the executive office shall monitor the expenditures and completion timetables for systems development projects and enhancements undertaken by all agencies under the purview of the secretariat and shall ensure that all measures are taken to make such systems compatible with one another for enhanced interagency interaction; provided further, that the executive office shall ensure that any collaborative assessments for children receiving services from multiple agencies within the secretariat shall be performed within existing resources; provided further, that funds appropriated in this item shall be expended for administrative and contracted services related to the implementation and operation of programs under chapter 118E of the General Laws; provided further, that the executive office and its agencies, when contracting for services on the islands of Martha's Vineyard and Nantucket, shall take into consideration the increased costs associated with the provision of goods, services and housing on said islands; provided further, that the executive office shall contract with Martha's Vineyard Community Services, Inc. for no less than \$100,000 to increase access to health and human services on Martha's Vineyard and Nantucket, and such funds shall be used to cover feasible travel costs associated with arranging access to health and human services; provided further, that in consultation with the center for health information and analysis, no rate increase shall be provided to existing Medicaid provider rates without taking all measures possible under Title XIX of the Social Security Act to ensure that rates of payment to providers shall not exceed the rates that are necessary to meet only those costs which shall be incurred by efficiently and economically operated providers in order to provide services of adequate quality; provided further, that funds may be expended for the operation of the office of health equity within the executive office of health and human services; provided further, that not less than \$25,000 shall be provided to Baystate Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to make extensive improvements to the existing entranceway access for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Baystate Noble Hospital; provided further, that no expenditures, whether made by the executive office or another commonwealth entity, shall be made that are not federally reimbursable, including those related to Titles XIX or XXI of the Social Security Act, the MassHealth demonstration waiver under section 1115(a) of the Social Security Act or the community first demonstration waiver under section 1115 of the Social Security Act except as required for: (a) the equivalent of MassHealth standard benefits for children under 21 years of age who are in the care or custody of the department of youth services or the department of children and families; (b) dental benefits provided to clients of the department of developmental services who are 21 years of age or over; or (c) cost containment efforts, the purposes and amounts of which have been submitted to the executive office for administration and finance and the house and senate committees on ways and means 30 days before making these expenditures; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of said chapter 118E, the executive office shall make a supplemental payment not less than \$7,400,000 to any acute care pediatric hospital and pediatric specialty unit in the commonwealth, above base rates, to compensate for high-complexity pediatric care; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system, and these recoveries shall be considered current fiscal year expenditure refunds; provided further, that the office of Medicaid shall apply an add-on to reimburse the managed care organizations and senior care organizations under contract with the commonwealth for the full costs associated with the Affordable Care Act's annual insurer fee, as specified in the Affordable Care Act, 26 USC 4001(a); provided further, that the add-on shall be exclusive of any additional rate increase currently being proposed for fiscal year 2017; provided further, that subject to the availability of federal financial participation, the add-on shall include the related tax liability for the annual insurer fee; provided further, that MassHealth shall provide a report not later than March 1, 2017 to the house and senate committees on ways and means and the joint committee on health care financing on the amount of reimbursement of the Affordable Care Act's insurer

fee and the related tax liability and the methodology for calculating the reimbursement to the managed care organizations and senior care organizations; provided further, that the executive office of health and human services may continue to recover provider overpayments made in the current and prior fiscal years through the Medicaid management information system and those recoveries shall be considered current fiscal year expenditure refunds; provided further, that the executive office may collect directly from a liable third party any amounts paid to contracted providers under said chapter 118E for which the executive office later discovers another third party is liable if no other course of recoupment is possible; provided further, that no funds shall be expended for interpretive services directly or indirectly related to a settlement or resolution agreement with the office of civil rights or any other office, group or entity; provided further, that interpretive services currently provided shall not give rise to enforceable legal rights for any party or to an enforceable entitlement to interpretive services; provided further, that notwithstanding any general or special law to the contrary, the commissioner of mental health shall approve any prior authorization or other restriction on medication used to treat mental illness under written policies, procedures and regulations of the department of mental health; provided further, that funds shall be provided in an amount not less than the total appropriated in item 1599-2009 in section 2 of chapter 182 of the acts of 2008; provided further, that the executive office of health and human services shall report to the house and senate committees on ways and means not later than January 13, 2017 on the number of members served in the dual eligible initiative, the average expenditure per member, the average expenditure per member prior to the demonstration project and the number of clients that receive care at skilled nursing facilities; provided further, that the executive office shall submit a report not later than December 1, 2016 to the house and senate committees on ways and means and the joint committee on health care financing detailing utilization in fiscal year 2016 of the Health Safety Net Trust Fund established in section 66 of said chapter 118E; provided further, that the report shall include: (a) the number of persons whose medical expenses were billed to the Health Safety Net Trust Fund; (b) the total dollar amount billed to the Health Safety Net Trust Fund; (c) the age, income level, and insurance status of recipients using the Health Safety Net Trust Fund; (d) the types of services paid for out of the Health Safety Net Trust Fund; and (e) the amount disbursed from the Health Safety Net Trust Fund to each hospital and community health center; provided further, that the office of Medicaid shall coordinate with the health policy commission in the development of care delivery and payment models in the MassHealth program, including patient-centered medical homes and accountable care organizations, in order to ensure alignment of such models with the commission's certification programs under sections 14 and 15 of chapter 6D of the General Laws; provided further, that any unexpended balance in these accounts shall revert to the General Fund on June 30, 2017; provided further, that not later than January 18, 2017, the executive office of health and human services shall submit a report to the house and senate committees on ways and means detailing the methodology used to project caseload and utilization in fiscal year 2016 and fiscal year 2017; provided further, that not later than December 1, 2016, the executive office of health and human services, in coordination with the department of public health and the office of Medicaid, shall report to the house and senate committees on ways and means on a plan to expand lead testing and follow-up services, including but not limited to: (a) a review of all services currently offered for lead poisoning-related services; (b) a plan of implementation for expanded lead poisoning-related services, including steps required to increase reimbursement opportunities for services such as lead poisoning testing, prevention, follow-up, investigation and treatment; (c) spending and revenue cost estimates for implementing such expanded services; (d) revenue maximization opportunities associated with pursuing such services; and (e) an analysis of the short- and long-term cost effectiveness associated with providing such services; provided further, that the executive office of health and human services shall expend not less than \$50,000 to develop a pilot program in Norfolk county to incentivize independent home health care nurses to work with patients with rare diseases and disorders including, but not limited to, Rett Syndrome and mitochondrial diseases; and provided further, that in the development of the program, the executive office shall review the reimbursement rates for independent home care nurses and consider restructuring the rate system so that independent home care nurses who agree to treat patients with more severe needs shall be compensated at a higher rate; provided further, that \$50,000 shall be expended for the direct payroll costs of a MassHealth liaison to the trial court who shall be responsible for the administration of health insurance benefits for participants in the specialty courts; provided further, that MassHealth shall establish a direct phone number for court employees who serve participants of specialty courts to use in contacting MassHealth regarding enrollment and other benefits ' issues for participants and MassHealth shall notify the specialty courts administrator with the direct contact number and other pertinent information within 30 days after the effective date of this item; provided further, that no less than \$100,000 shall be expended for The MetroWest Free Medical Program, Inc.; and provided further, that not less than \$250,000 shall be expended for the Brookline Community Mental Health Center, Inc. to expand the healthy lives program.....\$100,501,087.

The Governor reduced this item by \$2,791,439 and struck the following wording "; provided further, that the executive office shall contract with Martha's Vineyard Community Services, Inc. for no less than \$100,000 to increase access to health and human services on Martha's Vineyard and Nantucket, and such funds shall be used to cover feasible travel costs associated with arranging access to health and human services" and "; provided further, that not less than \$25,000 shall be provided to Baystate Noble Hospital, a federal and state disproportionate share hospital that is geographically isolated, to make extensive improvements to the existing entranceway access for all patients, especially those challenged with disabilities, provided that such funds are matched by an equal or greater amount by Baystate Noble Hospital" and "; provided further, that in calculating rates of payment for children enrolled in MassHealth receiving inpatient and

outpatient services at acute care pediatric hospitals and pediatric specialty units as defined in section 8A of said chapter 118E, the executive office shall make a supplemental payment not less than \$7,400,000 to any acute care pediatric hospital and pediatric specialty unit in the commonwealth, above base rates, to compensate for high-complexity pediatric care" and "; provided further, that the executive office of health and human services shall expend not less than \$50,000 to develop a pilot program in Norfolk county to incentivize independent home health care nurses to work with patients with rare diseases and disorders including, but not limited to, Rett Syndrome and mitochondrial diseases; and provided further, that in the development of the program, the executive office shall review the reimbursement rates for independent home care nurses and consider restructuring the rate system so that independent home care nurses who agree to treat patients with more severe needs shall be compensated at a higher rate; provided further, that \$50,000 shall be expended for the direct payroll costs of a MassHealth liaison to the trial court who shall be responsible for the administration of health insurance benefits for participants in the specialty courts; provided further, that MassHealth shall establish a direct phone number for court employees who serve participants of specialty courts to use in contacting MassHealth regarding enrollment and other benefits' issues for participants and MassHealth shall notify the specialty courts administrator with the direct contact number and other pertinent information within 30 days after the effective date of this item; provided further, that no less than \$100,000 shall be expended for The MetroWest Free Medical Program, Inc.; and provided further, that not less than \$250,000 shall be expended for the Brookline Community Mental Health Center, Inc. to expand the healthy lives program".

The question on passing item 4000-0300, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-four minutes past nine o'clock P.M., as follows, to wit (yeas 37 - nays 2) [Yeas and Nays No. 572]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. - 37.

Keenan, John F.

NAYS.

Chang-Diaz, Sonia

Downing, Benjamin B. - 2.

The yeas and nays having been completed at twenty-four minutes past nine o'clock P.M., item 4000-0300, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4000-0640 (MassHealth Nursing Home Rates) was considered as follows:

4000-0640 For nursing facility Medicaid rates; provided, that in fiscal year 2017 the executive office of health and human services, in consultation with the center for health information and analysis, shall establish nursing facility Medicaid rates that cumulatively total \$309,600,000 more than the annual payment rates established under the rates in effect as of June 30, 2002; provided further, that not less than \$35,500,000 shall be expended to fund a rate-add on for wages, benefits, and related employee costs of direct care staff of nursing homes; provided further, MassHealth shall adopt all additional regulations and procedures to carry out this section; provided further, that no later than January 30, 2017, MassHealth shall report to the house and senate committees on ways and means an analysis of the impact on the wages for direct care workers at the nursing homes receiving said funds; provided further, that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management that is focused on implementing that criteria and improving the quality of services available to MassHealth members and that shall decide jointly how to expend such incentive payments; provided further, that an amount for expenses related to the collection and administration of section 63 of chapter 118E of the General Laws shall be transferred to the executive office of health and human services; and provided further, that the payments made under this item shall be allocated in an amount sufficient to implement section 622 of chapter 151 of the acts of 1996.....\$347,900,000

The Governor reduced this item by \$17,800,000 and struck the following wording “; provided further, that not less than \$35,500,000 shall be expended to fund a rate-add on for wages, benefits, and related employee costs of direct care staff of nursing homes” and “; provided further , that not less than \$2,800,000 shall be expended as incentive payments to nursing facilities meeting the criteria determined under the MassHealth Nursing Facility Pay-for-Performance Program and that have established and participated in a cooperative effort in each qualifying nursing facility between representatives of employees and management”.

After remarks, the question on passing item 4000-0640, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-seven minutes past nine o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 573]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at--- twenty-seven minutes past nine o'clock P.M., item 4000-0640, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4000-0700 (MassHealth Fee-for-Service) was considered as follows:

4000-0700 For health care services provided to medical assistance recipients under the executive office's health care indemnity or third party liability plan, to medical assistance recipients not otherwise covered under the executive office's managed care or senior care plans and for MassHealth benefits provided to children, adolescents and adults under section 9 of chapter 118E of the General Laws and clauses (a) to (d), inclusive, and clause (h) of subsection (2) of section 9A of said chapter 118E and section 16C of said chapter 118E; provided, that no payments for special provider costs shall be made from this item without the prior written approval of the secretary of administration and finance; provided further, that no funds shall be expended from this item for children and adolescents under clause (c) of said subsection (2) of said section 9A of said chapter 118E whose family incomes as determined by the executive office exceed 150 per cent of the federal poverty level; provided further, that children who have aged out of the custody of the department of children and families shall be eligible for benefits through the age limit specified in MassHealth's approved state plan; provided further, that not less than \$1,000,000 shall be made available to establish a 1-year pilot program to increase efficiencies and align system-wide goals within a regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver; provided further, that the pilot program will include measurable milestones that shall demonstrate progress in at least 1 of the following areas: (a) care coordination, integration and delivery transformations; (b) electronic health records and information exchange advancements; (c) increasing alternative payment methods and accountable care organizations; (d) enhancing patient safety; (e) increasing access to behavioral health services; (f) increasing coordination between system hospitals and community-based providers and organizations; and (g) preparing the system to undertake risk as a potentially designated ACO; provided further, that funds shall be expended from this item for members who qualify for early intervention services; provided further, that funds may be expended from this item for health care services provided to recipients in prior fiscal years; provided further, that the funds appropriated in item 4000-0265 of section 2A of chapter 142 of the acts of 2011 shall again be appropriated for the same dollar amount as in said item 4000-0265 and shall be distributed in and managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012; provided further, that in fiscal year 2017 MassHealth shall maintain the same level of federally-optional chiropractic services that were in effect in fiscal year 2016 that were included in its state plan or demonstration program in effect on January 1, 2002 for members enrolled in the primary care clinician (PCC) program; provided further, that the executive office shall not, in fiscal year 2017, fund programs relating to case management with the intention of reducing length of stay for neonatal intensive care unit cases; provided further, that notwithstanding this item, funds may be expended from this item for the purchase of third-party insurance including, but not limited to, Medicare for any medical assistance recipient; provided further, that the executive office may reduce MassHealth premiums or copayments or offer other incentives to encourage enrollees to comply with wellness goals; provided further, that funds may be expended from this item for activities relating to disability determinations or utilization management and review, including patient screenings and evaluations, regardless of whether such activities are performed by a state agency, contractor, agent or provider; provided further, that not later than March 1, 2017 the executive office shall report to the house and senate committees on ways and means on: (a) dental coverage available to MassHealth recipients as of January 1, 2017 as it compares to dental coverage available to MassHealth recipients on January 1, 2010; (b) utilization of dental services in fiscal year 2016 and fiscal year 2017; (c) the actual and projected costs and revenue associated with dental coverage in fiscal year 2016 and fiscal year 2017; and (d) the estimated cost effectiveness of dental coverage as a contributor to MassHealth total cost of care; and provided further, that the executive office shall maintain full-year coverage for adult dental fillings and adult denture coverage.....\$2,377,838,43.

The Governor reduced this item by \$8,900,000 and struck the following wording: "; provided further, that not less than \$1,000,000 shall be made available to establish a 1-year pilot program to increase efficiencies and align system-wide goals within a regional hospital system located in Western Massachusetts to improve the overall sustainability of the system and to create a comprehensive approach to system-wide needs and a transition into the structure of the new 1115 Medicaid Waiver; provided further, that the pilot program will include measurable milestones that shall demonstrate progress in at least 1 of the following areas: (a) care coordination, integration and delivery transformations; (b) electronic health records and information exchange advancements; (c) increasing alternative payment methods and accountable care organizations; (d) enhancing patient safety; (e) increasing access to behavioral health services; (f) increasing coordination between system hospitals and community-based providers and organizations; and (g) preparing the system to undertake risk as a potentially designated ACO" and "; provided further, that the funds appropriated in item 4000-0265 of section 2A of chapter 142 of the acts of 2011 shall again be appropriated for the same dollar amount as in said item 4000-0265 and shall be distributed in and managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012" and inserted the following wording "; provided further, that \$500,000 shall be distributed in and managed in the same manner as designated in section 60 of chapter 118 of the acts of 2012".

The question on passing item 4000-0700, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-eight minutes past nine o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 574]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. — 39.

Joyce, Brian A.

NAYS – 0.

The yeas and nays having been completed at twenty-eight minutes past nine o'clock P.M., item 4000-0700, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4110-1000 (MCB Community Services) was considered as follows:

4110-1000 For the community services program; provided, that the Massachusetts commission for the blind shall work in collaboration with the Massachusetts commission for the deaf and hard of hearing to provide assistance and services to the deaf-blind community through the deaf-blind community access network; and provided further, that not less than \$175,000 shall be made available to expand the contract for orientation and mobility services provided by The Carroll Center for the Blind, Inc.....\$4,350,682

The Governor reduced this item by \$175,000 and struck the following wording "; and provided further, that not less than \$175,000 shall be made available to expand the contract for orientation and mobility services provided by The Carroll Center for the Blind, Inc.".

The question on passing item 4110-1000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-nine minutes past nine o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 575]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Fattman, Ryan C.

Ross, Richard J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at twenty-nine minutes past nine o'clock P.M., item 4110-1000, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4401-1000 (Employment Services Program) was considered as follows:

4401-1000 For employment and training services for recipients of benefits provided under the transitional aid to families with dependent children program; provided, that funds from this item may be expended on former recipients of the program for up to 1 year after termination of their benefits; provided further, that the department may expend this item on such services for the non-custodial parents of dependent children receiving transitional aid to families with dependent children program; provided further, that the department shall spend no less than the amount spent in fiscal year 2016 for the young parents program and the competitive integrated employment services program; provided further, that not less than \$1,000,000 shall be expended for contracts entered into with the Massachusetts Office of Refugees and Immigrants with whom the department of transitional assistance entered into service agreements within fiscal year 2016; provided further, that certain parents who have not yet reached the age of 18, including those who are ineligible for transitional aid to families with dependent children and who would qualify for benefits under chapter 118 of the General Laws but for the deeming of the grandparents' income, shall be eligible to receive services; provided further, that not less than \$50,000 shall be provided for learning disability assessments through the University of Massachusetts; provided further, that not less than \$779,058 shall be expended for transportation benefits for recipients of transitional aid to families with dependent children; provided further, that not less than \$100,000 shall be expended for the DTA Works internship program; provided further, that not less than \$75,000 shall be expended for a transportation program developed and operated by South Middlesex Opportunity Council; provided further, that the department of transitional assistance shall file a report with the house and senate committees on ways and means not later than March 1, 2017 on: (i) the number of clients served by these programs; (ii) the number of clients who transition into employment, when applicable; (iii) the number of clients who remain in employment after 90 days, when applicable; (iv) the number of clients who remain in employment after 1 year, when applicable; and (v) other quantifiable data related to client outcomes as designed by these programs; provided further, that the department shall examine the outcomes of these programs to determine which are effective in transitioning clients to employment and increased self-sufficiency; and provided further, that the department shall consider other programs to meet transitional employment needs of clients \$12,694,060 the number of clients who transition into employment, when applicable; (iii) the number of clients who remain in employment after 90 days, when applicable; (iv) the number of clients who remain in employment after 1 year, when applicable; and (v) other quantifiable data related to client outcomes as designed by these programs; provided further, that the department shall examine the outcomes of these programs to determine which are effective in transitioning clients to employment and increased self-

sufficiency; and provided further, that the department shall consider other programs to meet transitional employment needs of clients.....\$12,694,060.

The Governor reduced this item by \$75,000 and struck the following wording "no less than the amount spent in fiscal year 2016" and "; provided further, that not less than \$75,000 shall be expended for a transportation program developed and operated by South Middlesex Opportunity Council".

The question on passing item 4401-1000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at a half past nine o'clock P.M., as follows, to wit (yeas 33 — nays 6) [Yeas and Nays No. 576]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. - 33.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia

Humason, Donald F., Jr.

deMacedo, Viriato M.

Ross, Richard J.

Fattman, Ryan C.

Tarr, Bruce E. - 6.

The yeas and nays having been completed at a half past nine o'clock P.M., item 4401-1000, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4510-0110 (DPH Community Health Centers) was considered as follows:

4510-0110 For community health center services; provided, that not less than the amount appropriated in item 4510-0110 of section 2 of chapter 38 of the acts of 2013 shall be expended on a statewide program of technical assistance to community health centers to be provided by a state primary care association qualified under Section 330(f)(1) of the United States Public Health Service Act at 42 USC 254c(f)(1); provided further, that not less than \$100,000 shall be expended for the operation of the South Boston Community Health Center and its Youth Ambassador Program and South Boston Leadership Initiative; provided further, that not less than \$50,000 shall be expended for the Caring Health Center's Richard E. Neal Complex to transform the wellness center into a patient centered medical home for the medically underserved; provided further, that not less than \$50,000 shall be expended for the Mattapan Integrative Care Partnership Pilot program among the Mattapan Community Health Center, Mattahunt Community Center, Mattahunt Elementary School, and the Wheelock College Social Work Department for a behavioral health practice at the Mattapan Community Health Center and support a full-time licensed social worker to bring mental health care to the community's youth and to improve the coordination of care; provided further, that not less than \$50,000 shall be expended for the operation of the daytime resource center at the Grace Center, Inc.; and provided further, that not less than \$125,000 shall be expended towards the North End Waterfront Neighborhood Health Center for the purpose of operations and maintenance of treating substance abuse.....\$1,598,773.

The Governor reduced this item by \$375,000 and struck the following wording "; provided further, that not less than \$100,000 shall be expended for the operation of the South Boston Community Health Center and its Youth Ambassador Program and South Boston Leadership Initiative; provided further, that not less than \$50,000 shall be expended for the Caring Health Center's Richard E. Neal Complex to transform the wellness center into a patient centered medical home for the medically underserved; provided further, that not less than \$50,000 shall be expended for the Mattapan Integrative Care Partnership Pilot program among the Mattapan Community Health Center, Mattahunt Community Center, Mattahunt Elementary School, and the Wheelock College Social Work Department for a behavioral health practice at the Mattapan Community Health Center and support a full-time licensed social worker to bring mental health care to the community's youth and to improve the coordination of care; provided further, that not less than \$50,000 shall be expended for the operation of the daytime resource center at the Grace Center, Inc.; and provided further, that not less than \$125,000 shall be expended towards the North End Waterfront Neighborhood Health Center for the purpose of operations and maintenance of treating substance abuse".

The question on passing item 4510-0110, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-eight minutes before ten o'clock P.M., as follows, to wit (yeas 36 - nays 3) [Yeas and Nays No. 577]:

YEAS.

Barrett, Michael J.

Lesser, Eric P.

Boncore, Joseph A.

Lewis, Jason M.

Brady, Michael D.

L'Italien, Barbara A.

Brownsberger, William N.

Lovely, Joan B.

Chandler, Harriette L.

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Ross, Richard J.

Forry, Linda Dorcena

Rush, Michael F.

Gobi, Anne M.

Spilka, Karen E.

Humason, Donald F., Jr.

Tarr, Bruce E.

Jehlen, Patricia D.

Timilty, James E.

Joyce, Brian A.

Welch, James T.

Keenan, John F.

Wolf, Daniel A. - 36.

NAYS.

Chang-Diaz, Sonia

Fattman, Ryan C. - 3.

deMacedo, Viriato M.

The yeas and nays having been completed at twenty-eight minutes before ten o'clock P.M., item 4510-0110, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4510-0710 (Health Care Quality) was considered as follows:

4510-0710 For the operation of the division of health care quality and the office of patient protection; provided, that services funded through this item shall include, but not be limited to: education, training, intervention, support, surveillance and evaluation; provided further, that funds shall be expended for the advancement of the prescription monitoring program and the maintenance and enhancement of prescription drug monitoring information exchange architecture to support interstate prescription drug monitoring data sharing; provided further, that the division shall be responsible for assuring the quality of patient care provided by the commonwealth's health care facilities and services

and for protecting the health and safety of patients who receive care and services in nursing homes, rest homes, clinical laboratories, clinics, institutions for individuals with intellectual or developmental disabilities and the mentally ill, hospitals and infirmaries, including the inspection of ambulance services; provided further, that investigators shall conduct investigations of abuse, neglect, mistreatment and misappropriation; provided further, that all investigators in the division of health care quality responsible for the investigations shall receive training by the Medicaid fraud control unit in the office of the attorney general; provided further, that the division shall continue a comprehensive training, education and outreach program for nursing home administrators and managers and other supervisory personnel in long-term care facilities to improve the quality of care in those facilities; provided further, that the program shall promote the use of best practices, models of quality care giving and the culture of workforce retention within the facilities, and shall focus on systemic ways to reduce deficiencies; provided further, that not less than \$50,000 shall be expended for Operation House Call at The Arc of Massachusetts to maintain and expand training to medical students and other graduate level health care professionals to work with individuals with autism and other developmental and intellectual disabilities; and provided further, that funds shall be expended for the full registration of practitioners, physician assistants and registered nurses authorized by the board of registration in nursing to practice in advanced practice nursing roles under section 7A of chapter 94C of the General Laws.....\$10,634,252.

The Governor reduced this item by \$50,000 and struck the following wording “; provided further, that not less than \$50,000 shall be expended for Operation House Call at The Arc of Massachusetts to maintain and expand training to medical students and other graduate level health care professionals to work with individuals with autism and other developmental and intellectual disabilities”.

The question on passing item 4510-0710, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-seven minutes before ten o'clock P.M., as follows, to wit (yeas 36 - nays 3) [Yeas and Nays No. 578]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Ross, Richard J.

Forry, Linda Dorcena

Rush, Michael F.

Gobi, Anne M.

Spilka, Karen E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 36.

NAYS.

Chang-Diaz, Sonia

Tarr, Bruce E. – 3.

Fattman, Ryan C.

The yeas and nays having been completed at twenty-seven minutes before ten o'clock P.M., item 4510-0110, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4510-0810 (SANE and Pedi-Sane Programs) was considered as follows:

4510-0810 For a statewide sexual assault nurse examiner program and pediatric sexual assault nurse examiner program for the care of victims of sexual assault; provided, that not less than \$180,000 shall be expended for the support of the statewide delivery system of Children's Advocacy Centers with funding administered by the Massachusetts Children's Alliance; and provided further, that the program shall operate under specific statewide protocols and by an on-call system of nurse examiners.....\$4,630,449.

The Governor reduced this item by \$180,000 and struck the following wording "; provided, that not less than \$180,000 shall be expended for the support of the statewide delivery system of Children's Advocacy Centers with funding administered by the Massachusetts Children's Alliance".

After remarks, the question on passing item 4510-0810, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, twenty-five minutes before ten o'clock P.M., as follows, to wit (yeas 37— nays 1) [Yeas and Nays No. 579]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 37.
Joyce, Brian A.	

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at twenty-four minutes before ten P.M., item 4510-0810, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4512-0500 (Dental Health Program) was considered as follows:

4512-0500 For dental health services; provided, that not less than \$1,745,525 shall be expended for the comprehensive dental program for adults with developmental disabilities; provided further, that \$300,000 shall be expended for the Forsyth Institute’s Center for Children’s Oral Health to expand its Forsyth Kids programming focused on children and adolescents and to explore the emerging association between oral health status and academic performance; and provided further, that not less than \$100,000 shall be expended for the promotion of services to dental providers and to increase after-hour, weekend and holiday coverage with on-call response and, if necessary, actual clinical evaluation.....\$2,219,647.

The Governor reduced this item by \$550,000 and struck the following wording "; provided, that not less than \$1,745,525 shall be expended for the comprehensive dental program for adults with developmental disabilities; provided further, that \$300,000 shall be expended for the Forsyth Institute’s Center for Children’s Oral Health to expand its Forsyth Kids programming focused on children and adolescents and to explore the emerging association between oral health status and academic performance" and inserted the words “;provided, that not less than \$1,495,525 shall be expended for the comprehensive dental program for adults with developmental disabilities”.

The question on passing item 4512-0500, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes before ten o’clock P.M., as follows, to wit (yeas 38 - nays 1) [Yeas and Nays No. 580]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at twenty-two minutes before ten o'clock P.M., item 4512-0500, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7003-0902 (JLM Committee for Municipal Police and Fire) was considered as follows:

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

The Governor disapproved of this item.

After remarks, the question on passing item 7003-0902, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nineteen minutes before ten o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 581]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Chang-Diaz, Sonia

McGee, Thomas M.

Creem, Cynthia Stone

Montigny, Mark C.

deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Ross, Richard J.
Fattman, Ryan C.	Rush, Michael F.
Flanagan, Jennifer L.	Spilka, Karen E.
Forry, Linda Dorcena	Tarr, Bruce E.
Gobi, Anne M.	Timilty, James E.
Humason, Donald F., Jr.	Welch, James T.
Jehlen, Patricia D.	Wolf, Daniel A. – 39.
Joyce, Brian A.	

NAYS – 0.

The yeas and nays having been completed at eighteen minutes before ten o'clock P.M., item 7003-0902, contained in section 2, stands in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7003-0100 (EOLWD Administration) was considered as follows:

7003-0100 For the operation of the executive office of labor and workforce development; provided, that not less than \$50,000 shall be expended for a pilot program to assist in the training, placement and development of a professional, proficient and technically competent workforce that will support the existing and emerging staffing and labor needs of the public transportation sector; provided further, that such program shall be operated by the MetroWest Regional Transit Authority; provided further, that not less than \$50,000 be expended for Leadership Pioneer Valley, Inc.'s regional leadership development program; and provided further, that no less than \$25,000 shall be expended for E Para Todos, the Spanish program of Entrepreneurship for All in the city of Lawrence, to promote small business, create new jobs and support workforce development and training initiatives in urban communities.....\$902,092.

The Governor reduced this item by \$171,120 and struck the following wording "; provided, that not less than \$50,000 shall be expended for a pilot program to assist in the training, placement and development of a professional, proficient and technically competent workforce that will support the existing and emerging staffing and labor needs of the public transportation sector; provided further, that such program shall be operated by the MetroWest Regional Transit Authority; provided further, that not less than \$50,000 be expended for Leadership Pioneer Valley, Inc.'s regional leadership development program; and provided further, that no less than \$25,000 shall be expended for E Para Todos,

the Spanish program of Entrepreneurship for All in the city of Lawrence, to promote small business, create new jobs and support workforce development and training initiatives in urban communities".

After remarks, the question on passing item 7003-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at sixteen minutes before ten o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 582]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
deMacedo, Viriato M.	Moore, Michael O.
DiDomenico, Sal N.	O'Connor Ives, Kathleen
Donnelly, Kenneth J.	OConnor, Patrick M.
Donoghue, Eileen M.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. — 37.

Keenan, John F.

NAYS.

Chang-Diaz, Sonia

Downing, Benjamin B. – 2.

The yeas and nays having been completed at sixteen minutes before ten o'clock P.M., item 7003-0100, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-0020 (Manufacturing Pilot Program) was considered as follows:

7002-0020 For a precision manufacturing pilot program administered by the executive office of housing and economic development that provides training to unemployed and underemployed individuals, including veterans; provided, that not less than \$85,000 shall be expended for the Middle Skills Manufacturing Initiative in Hampshire and Franklin counties; and provided further, that not less than \$90,000 shall be expended for the E-Team Machinist program in the city of Lynn..... \$1,625,000.

The Governor reduced this item by \$175,000 and struck the following wording "; provided, that not less than \$85,000 shall be expended for the Middle Skills Manufacturing Initiative in Hampshire and Franklin counties; and provided further, that not less than \$90,000 shall be expended for the E-Team Machinist program in the city of Lynn".

After remarks, the question on passing item 7002-0020, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at thirteen minutes before ten o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 583]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

deMacedo, Viriato M.

Montigny, Mark C.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

O'Connor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Fattman, Ryan C.

Ross, Richard J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at thirteen minutes before ten o'clock P.M., item 7002-0020, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-0012 (Youths-At-Risk Summer Jobs) was considered as follows:

7002-0012 For a youth-at-risk program targeted at reducing juvenile delinquency in high-risk areas; provided, that these funds may be expended for the development and implementation of a year-round employment program for at-risk youth and existing year-round employment programs; provided further, that \$500,000 of these funds shall be matched by private organizations; provided further, that funds shall be available for expenditure through September 1, 2017, prior appropriation continued; provided further, that not less than \$125,000 shall be expended for a grant to the Union of Minority Neighborhoods; provided further, that no less than \$25,000 shall be expended for a grant program to Crossroads Family Center in East Boston for the operation of workforce development and educational programming for women and girls; and provided further, that not less than \$150,000 shall be expended for a grant program to St. Mary's Center For Women and Children, Inc. in the Dorchester section of the city of Boston for the operation of workforce development and educational programming for women and children.....\$10,200,000.

The Governor reduced this item by \$275,000 and struck the following wording "; provided further, that not less than \$125,000 shall be expended for a grant to the Union of Minority Neighborhoods" and "; and provided further, that not less than \$150,000 shall be expended for a grant program to St. Mary's Center For Women and Children, Inc. in the Dorchester section of the city of Boston for the operation of workforce development and educational programming for women and children".

The question on passing item 7002-0012, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at thirteen minutes before ten o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 584]:

YEAS.

Barrett, Michael J.	Lesser, Eric P.
Boncore, Joseph A.	Lewis, Jason M.
Brady, Michael D.	L'Italien, Barbara A.
Brownsberger, William N.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Creem, Cynthia Stone	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 37.
Keenan, John F.	

NAYS.

Chang-Diaz, Sonia

deMacedo, Viriato M. – 2.

The yeas and nays having been completed at twelve minutes before ten o'clock P.M., item 7002-0012, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7002-0010 (EOHED Administration) was considered as follows:

7002-0010 For the operation of the office of the secretary of housing and economic development, including the operation of the Massachusetts permit regulatory office and the operation of the office of the wireless and broadband affairs director; provided, that agencies within the executive office may, with the prior approval of the secretary, streamline and improve administrative operations pursuant to interdepartmental service agreements; provided further, that not less than \$50,000 shall be expended for the Lawrence Partnership, Inc. to facilitate public and private economic development collaboration in the city of Lawrence; and provided further, that the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technology, Inc.....\$2,501,996.

The Governor reduced this item by \$350,000 and struck the following wording "; provided further, that not less than \$50,000 shall be expended for the Lawrence Partnership, Inc. to facilitate public and private economic development collaboration in the city of Lawrence; and provided further, that the executive office of housing and economic development, in cooperation with the commonwealth corporation, shall award not less than \$300,000 to the New England Center for Arts and Technology, Inc.".

After remarks, the question on passing item 7002-0010, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes before ten o'clock P.M., as follows, to wit (yeas 36 — nays 3) [Yeas and Nays No. 585]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

O'Connor Ives, Kathleen

Downing, Benjamin B.

OConnor, Patrick M.

Eldridge, James B.

Pacheco, Marc R.

Fattman, Ryan C.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Tarr, Bruce E.

Humason, Donald F., Jr.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 36.

NAYS.

Chang-Diaz, Sonia

Ross, Richard J. – 3.

deMacedo, Viriato M.

The yeas and nays having been completed at ten minutes before ten o'clock P.M., item 7002-0010, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 5920-3000 (Respite & Family Services) was considered as follows:

5920-3000 For respite services and intensive family supports; provided, that not less than \$7,000 shall be expended to Friendship Home, Inc. to improve and extend respite care and support services for individuals with developmental disabilities and their families; provided further, that the Department shall expend not less than \$100,000 to provide respite services and intensive family supports for individuals over 40 years of age; and provided further that the Department shall submit a report to the house and senate chairs of the joint committee on ways and means and the house and senate chairs of the joint committee on elder affairs on respite services and intensive family supports for individuals over the age of 40 years of age no later than December 31, 2016 and shall include, but not limited to, the following: (a) the current number of individuals over 40 years of age who are eligible for respite services and intensive family supports; (b) the number of individuals over 40 years of age who are currently receiving respite services and intensive family supports; and (c) the amount of respite services and intensive family supports that each individual over 40 years of age receives..... \$62,846,395.

The Governor reduced this item by \$107,000 and struck the following wording "; provided, that not less than \$7,000 shall be expended to Friendship Home, Inc. to improve and extend respite care and support services for individuals with developmental disabilities and their families; provided further, that the Department shall expend not less than \$100,000 to provide respite services and intensive family supports for individuals over 40 years of age".

After remarks, the question on passing item 5920-3000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before ten o'clock P.M., as follows, to wit (yeas 38— nays 1) [Yeas and Nays No. 586]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at seven minutes before ten o'clock P.M., item 5920-3000, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 5911-1003 (DDS Administration) was considered as follows:

5911-1003 For the administration and operation of the department of developmental services; provided, that the department shall not charge user fees for transportation or community day services; provided further, that the department shall not charge fees for eligibility determination for services provided by the department or for applications or requests for transfer of guardianship; and provided further, that \$175,000 shall be expended for the Massachusetts Down Syndrome Congress, Inc.....\$70,068,991.

The Governor reduced this item by \$175,000.

The question on passing item 5911-1003, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six minutes before ten o'clock P.M., as follows, to wit (yeas 32 — nays 7) [Yeas and Nays No. 587]:

YEAS.

Barrett, Michael J.

Keenan, John F.

Boncore, Joseph A.

Lesser, Eric P.

Brady, Michael D.

Lewis, Jason M.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Montigny, Mark C.

Donnelly, Kenneth J.

Moore, Michael O.

Donoghue, Eileen M.

O'Connor Ives, Kathleen

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Flanagan, Jennifer L.

Rush, Michael F.

Forry, Linda Dorcena

Spilka, Karen E.

Gobi, Anne M.

Timilty, James E.

Jehlen, Patricia D.

Welch, James T.

Joyce, Brian A.

Wolf, Daniel A. – 32.

NAYS.

Chang-Diaz, Sonia

OConnor, Patrick M.

deMacedo, Viriato M.

Ross, Richard J.

Fattman, Ryan C.

Tarr, Bruce E. – 7.

Humason, Donald F., Jr.

The yeas and nays having been completed at five minutes before ten o'clock P.M., item 5911-1003, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 5042-5000 (Children's Mental Health) was considered as follows:

5042-5000. For child and adolescent services, including the costs of psychiatric and related services provided to children and adolescents determined to be medically-ready for discharge from acute hospital units or mental health facilities and who are experiencing unnecessary delays in being discharged due to the lack of more appropriate settings; provided, that for the purpose of funding those services, the commissioner of mental health may allocate funds from the amount appropriated in this item to other departments within the executive office of health and human services; provided further, that the department shall not refer or discharge a child or adolescent to the custody or care of the department of children and families until the department of mental health forwards its assessment and recommendation as to whether the child or adolescent is appropriate for foster care or, due to severe emotional disturbance, is more appropriate for group care; provided further, that not less than \$70,000 shall be expended for the Northwestern Juvenile Fire Intervention Response Education and Safety Partnership, Inc. for a juvenile firesetter intervention and prevention program in Hampshire and Franklin counties, the town of Athol, North Quabbin and the city of Holyoke; provided further, that the department shall expend not less than \$3,600,000 for the Massachusetts Child Psychiatry Access Project; provided further, that not less than \$500,000 of that sum shall be expended to expand the Massachusetts Child Psychiatry Access Project for Moms statewide to address mental health concerns in pregnant and postpartum women; provided further, that the Department shall expend no less than \$50,000 for The Children's Room located in the Town of Arlington; provided further, that amounts expended from this item for the Massachusetts Child Psychiatry Access Project that are related to services provided on behalf of commercially insured clients shall be assessed by the commissioner of mental health on surcharge payors, as defined in section 64 of chapter 118E of the General Laws, and shall be collected in a manner consistent with the department of mental health's regulations; provided further, that not less than \$50,000 shall be expended for a partnership with the department of early education and care to improve early childhood mental health; and provided further, that the department shall expend not less than \$150,000 for the Arlington Youth Counseling Center.....\$88,650,618.

The Governor reduced this item by \$320,000 and struck the following wording "; provided further, that not less than \$70,000 shall be expended for the Northwestern Juvenile Fire Intervention Response Education and Safety Partnership, Inc. for a juvenile firesetter intervention and prevention program in Hampshire and Franklin counties, the town of Athol, North Quabbin and the city of Holyoke" and "; provided further, that the Department shall expend no less than \$50,000 for The Children's Room located in the Town of Arlington" and "; provided further, that not less than \$50,000 shall be expended for a partnership with the department of early education and care to improve early childhood mental health; and provided further, that the department shall expend not less than \$150,000 for the Arlington Youth Counseling Center".

After remarks, the question on passing item 5042-5000, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes before ten o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 588]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. — 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at three minutes before ten o'clock P.M., item 5042-5000, contained in section 2, stands in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 5046-0000 (DMH Adult Support Services) was considered as follows:

5046-0000 For adult mental health and support services; provided, that \$1,000,000 shall be expended for adult community-based mental health services and supports in the southeast region; provided, that the department may allocate not more than \$5,000,000 from item 5095-0015 to this item, as necessary, under allocation plans submitted to the house and senate committees on ways and means 30 days before any such transfer, for residential and day services for clients formerly receiving care at department facilities; provided further, that the department shall report to the house and senate committees on ways and means on the distribution of funds per adult and child planning population and the types of services received in each region for fiscal year 2017, no later than February 1, 2017; provided further, that not less than \$100,000 shall be expended for the Interface referral services of William James College, Inc. formerly known as Massachusetts School of Professional Psychology, in Plymouth county; provided further, that the department shall maintain in fiscal year 2017 the community-based placements established under item 5046-0005 of section 2 of chapter 165 of the acts of 2014 and item 5046-0006 of section 2 of chapter 46 of the acts of 2015, inserted by section 11 of chapter 70 of the acts of 2016; provided further, that the department shall expend not less than the fiscal year 2016 amount on clubhouses in fiscal year 2017 clubhouses; provided further, that the department shall expend not less than \$250,000 to continue the assisted outpatient treatment pilot program at Elliot Community Human Services to treat residents who suffer from serious and persistent mental illness and experience repeated interaction with law enforcement or have a high rate of recurring hospitalization due to their mental illness, either through a voluntary agreement with the resident or by court order mandating that the resident receive the treatment described in this program; provided further, that not less than \$200,000 shall be expended on a department of mental health and the executive office of elder affairs elder mental health interagency service agreement for adult home and community-based behavioral health services to adults over the age of 60; provided further, that funds shall be expended at the same level as the prior fiscal year for jail diversion programs in municipalities that provide equal matching funds from other public or private sources; provided further, that not less than \$250,000 shall be expended to the International Institute of New England, Inc. for culturally and linguistically appropriate mental health services for immigrants and refugees who have experienced torture and trauma; provided further, that the department, in conjunction with Elliot Community Human Services, shall produce an assisted outpatient treatment pilot analysis report which shall include baseline and current metrics related to clients served including, but not limited to: (a) behavioral and physical medical diagnosis; (b) status of activities of daily living, including food, shelter and employment; (c) psychiatric hospitalizations; (d) treatment history; and (e) insurance status; provided further, that the report shall define the factors that proved successful in treating pilot participants, including practices used and type of staff functions necessary for success in treating pilot participants; provided further that the report shall identify issues and practices that present barriers to successful treatment; provided further that the report shall include a cost analysis of treatment; and provided further, that the report shall also include a plan for creating a sustainable program based on information from the analysis report and shall include a proposal for a sustainable course of funding to implement the program.....\$379,754,252.

The Governor reduced this item by \$550,000 and struck the following wording "; provided further, that not less than \$100,000 shall be expended for the Interface referral services of William James College, Inc. formerly known as Massachusetts School of Professional Psychology, in Plymouth county" and "; provided further, that not less than \$200,000 shall be expended on a department of mental health and the executive office of elder affairs elder mental health interagency service agreement for adult home and community-based behavioral health services to adults over the age of 60" and "; provided further, that not less than \$250,000 shall be expended to the International Institute of New England, Inc. for culturally and linguistically appropriate mental health services for immigrants and refugees who have experienced torture and trauma".

The question on passing item 5046-000 contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes before ten o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 589]:

YEAS.

Barrett, Michael J.	Keenan, John F.
Boncore, Joseph A.	Lesser, Eric P.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	L'Italien, Barbara A.
Chandler, Harriette L.	Lovely, Joan B.
Creem, Cynthia Stone	McGee, Thomas M.
deMacedo, Viriato M.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	OConnor, Patrick M.
Downing, Benjamin B.	Pacheco, Marc R.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Ross, Richard J.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Spilka, Karen E.
Gobi, Anne M.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 38.

NAYS.

Chang-Diaz, Sonia – 1.

The yeas and nays having been completed at two minutes before ten o'clock P.M., item 5046-000, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7007-0952 (Commonwealth Zoological Corporation) was considered as follows:

7007-0952 For the operation of the Commonwealth Zoological Corporation established in chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended to promote private fundraising, achieve self-sufficiency and serve as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item shall not be transferred through interdepartmental service agreements; provided further, that the corporation shall report to the house and senate committees on ways and means not later than February 1, 2017 on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan dated December 1996; provided further, that funds may be expended on a matching program to encourage private and corporate donations to support the Franklin Park Zoo and the Walter D. Stone Memorial Zoo; and provided further, that no less than \$100,000 shall be expended for the Lupa Zoo and Game Farm, Inc. in Ludlow.....\$4,100,000.

The Governor reduced this item by \$100,000 and struck the following wording "; and provided further, that no less than \$100,000 shall be expended for the Lupa Zoo and Game Farm, Inc. in Ludlow".

The question on passing item 7007-0952, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten o'clock P.M., as follows, to wit (yeas 34— nays 5) [Yeas and Nays No. 590]:

YEAS.

Barrett, Michael J.

Joyce, Brian A.

Boncore, Joseph A.

Keenan, John F.

Brady, Michael D.

Lesser, Eric P.

Brownsberger, William N.

L'Italien, Barbara A.

Chandler, Harriette L.

Lovely, Joan B.

Creem, Cynthia Stone

McGee, Thomas M.

DiDomenico, Sal N.

Moore, Michael O.

Donnelly, Kenneth J.

O'Connor Ives, Kathleen

Donoghue, Eileen M.

OConnor, Patrick M.

Downing, Benjamin B.

Pacheco, Marc R.

Eldridge, James B.

Rodrigues, Michael J.

Fattman, Ryan C.

Rush, Michael F.

Flanagan, Jennifer L.

Spilka, Karen E.

Forry, Linda Dorcena

Tarr, Bruce E.

Gobi, Anne M.

Timilty, James E.

Humason, Donald F., Jr.

Welch, James T.

Jehlen, Patricia D.

Wolf, Daniel A. – 34.

NAYS.

Chang-Diaz, Sonia

Montigny, Mark C.

deMacedo, Viriato M.

Ross, Richard J. – 5.

Lewis, Jason M.

The yeas and nays having been completed at ten o'clock P.M., item 7007-0952, contained in section 2, stands in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Moment of Silence.

At the request of the President, members, staff and guests stood in a moment of silence to remember in our thoughts and prayers those who lost their lives to gun violence.

Matters Taken Out of the Notice Section of the Calendar.

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

The House Bill authorizing the change of use of certain park land in the town of South Hadley (House, No. 4379, amended),-- was read a third time and passed to be engrossed, in concurrence.

The House Bill authorizing the city of Springfield to convert certain park land at Emerson Wight Park (House, No. 4302),-- was read second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

The House Bill authorizing the City of Springfield to transfer certain property to Habitat for Humanity (House, No. 3948),-- was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Welch moved that the bill be amended by inserting after the word "contrary", in line 2, the following words:- "but subject to paragraphs (a), (b) and (g) of said section 16 of said chapter 30B".

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the city of Springfield to convey a certain parcel of real property to the Greater Springfield Habitat for Humanity".

Sent to the House for concurrence in the amendment.

The House Bill authorizing the town of Weston to transfer certain parcels of recreation land from the recreation commission to the conservation commission (House, No. 4508) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time and passed to be engrossed, in concurrence.

The House Bill authorizing the Department of Fish and Game to grant an easement to the town of Bourne in exchange for a conservation restriction on town land (House, No. 4516) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time and passed to be engrossed, in concurrence.

PAPER FROM THE HOUSE

A Bill authorizing the town of Weston to transfer certain recreation land known as Cat Rock (House, No. 4507, amended,-- on petition),-- was read.

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

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant certain easements to the New England Power Company (House, No. 4388, amended,-- on petition),-- was read.

There being no objection, the rules were suspended, on motion of Ms. Spilka and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows: "An Act authorizing the Division of Capital Asset Management and Maintenance to grant certain easements in the town of Grafton to the New England Power Company".

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourn to meet tomorrow next at twelve o'clock noon, in a full formal session without a calendar.

Adjourn In Memory of former Representative John H. Flood.

The Senator from Norfolk, Bristol and Plymouth, Mr. Joyce moves that when the Senate adjourns today it does so in memory of former State Representative and Norfolk County Sheriff, John H. "Jack" Flood.

A graduate of Northeastern University and Suffolk University Law School, Mr. Flood dedicated his life to public service. He proudly served his nation in the United States Navy, and his state as a public defender and as the State Representative for Canton and Randolph. A gubernatorial and senatorial candidate, Jack was later named Sheriff of Norfolk County by Governor Weld. As Sheriff, Jack implemented groundbreaking programs to assist inmates with addiction issues. He ended his distinguished public career as the Director of Substance Abuse Services for the Massachusetts Department of Corrections.

Jack is survived by his beloved wife of 49 years, Brenda Flood of Norton, and his daughters Amy E. Fisher and her husband Neal of Walpole, Katy F. Risher and her husband Dan of Sterling, Virginia, Kerry A. Flood of Norton, Nancy N. Flood of Roslindale, and Mary F. Mahon and her husband Brian of Fairfield, Connecticut, and his grandchildren Alison, Kelly, Megan, Johnny, Liam, Declan, Claire, and Eamonn. He is also survived by his brother Daniel J. Flood of Canton and his sister Ellen Stonis of Punta Gorda, Florida.

Accordingly, as a mark of respect in memory of John H. "Jack" Flood, at seventeen minutes past ten o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again tomorrow at twelve o'clock noon.