

**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.



Thursday, June 26, 2014.

Met at one minute past one o'clock P.M. (Mr. Richard T. Moore in the Chair).

### *Distinguished Guests.*

There being no objection, the President handed the gavel to Ms. Chandler for the purpose of an introduction. Ms. Chandler then introduced, in the rear of the Chamber, Brittany Legasey, Olga Zaharova and Timofey Kunitskiy. The group was visiting from Russia on their first trip to Boston. Brittany and Olga worked as press assistants for the Olympic Committee in Sochi, Russia during the 2014 Winter Olympics. Timofey is currently the Vice Conole for the Consulate General of Russia in Edinborough, Scotland. The Senate welcomed them with applause and they withdrew from the Chamber.

### *Petition.*

Ms. Chandler presented a petition (accompanied by bill, Senate, No. 2227) of Harriette L. Chandler, John J. Mahoney, Michael O. Moore, John J. Binienda and other members of the General Court (with the approval of the mayor and city council) for legislation to amend chapter 422 of the acts of 2006 relative to the Worcester DCU arena and convention center [Local approval received];

**Under Senate Rule 20, referred to the committee on Municipalities and Regional Government.  
Sent to the House for concurrence.**

### *Reports of Committees.*

By Mr. Pacheco, for the committee on Environment, Natural Resources and Agriculture, on petition (accompanied by bill, Senate, No. 1498), an Order relative to authorizing the joint committee on Environment, Natural Resources and Agriculture to make an investigation and study relative to the Global Warming Solutions Act (Senate, No. 2225);

By Mr. Petruccelli, for the committee on Financial Services, on petition (accompanied by bill, Senate, No. 479), an Order relative to authorizing the joint committee on Financial Services to make an investigation and study relative to public funds (Senate, No. 2226); and

By Mr. Downing, for the committee on Telecommunications, Utilities and Energy, on petition (accompanied by bill, Senate, No. 1612), an Order relative to allowing the joint committee on Telecommunications, Utilities and Energy to make an investigation and study relative to greater responsiveness of telephone rates to consumer demand (Senate, No. 2228);

**Severally, under Joint Rule 29, referred to the committees on Rules of the two branches, acting concurrently.**

By Mr. Welch, for the committee on Health Care Financing, on petition (accompanied by bill Senate, No. 550), a Bill to provide for tobacco cessation benefits (Senate, No. 2224);

**Read and, under Senate Rule 27, referred to the committee on Ways and Means.**

*Committee Discharged.*

Mr. Rosenberg, for the committee on Ethics and Rules, reported, asking to be discharged from further consideration of the Senate Bill establishing a commission on the status of children and youth (Senate, No. 2080),-- and recommending that the same be referred to the committee on the Ways and Means;  
Under Senate Rule 36, the report was considered forthwith and accepted.

PAPERS FROM THE HOUSE

Petitions were severally referred, in concurrence, as follows:

Petition (accompanied by bill, House, No. 4219) of Matthew A. Beaton and Michael O. Moore (by vote of the town) that the town of Shrewsbury be authorized to establish a special fund for library construction projects in said town;  
Petition (accompanied by bill, House, No. 4220) of Sarah K. Peake and Daniel A. Wolf (by vote of the town) for legislation to amend the charter of the town of Harwich; and  
Petition (accompanied by bill, House, No. 4221) of Joseph F. Wagner and James T. Welch (with the approval of the mayor and city council) that the city of Chicopee be authorized use the Chicopee Falls Branch Public Library for public school purposes;

**Severally, to the committee Municipalities and Regional Government.**

Petition (accompanied by bill, House, No. 4222) of Stephen Kulik and Stanley C. Rosenberg (by vote of the town) that the town of Whately be authorized to continue the employment of Donald Dufault and John DuBois;  
Petition (accompanied by bill, House, No. 4223) of Leonard Mirra and Kathleen O'Connor Ives (by vote of the town) that the town of Merrimac be authorized to continue the employment of certain firefighters; and  
Petition (accompanied by bill, House, No. 4224) of Leonard Mirra and Kathleen O'Connor Ives (by vote of the town) that the town of Merrimac be authorized to appoint special police officers in said town;

**Severally, to the committee on Public Service.**

Petition (accompanied by bill, House, No. 4225) of Steven S. Howitt (by vote of the town) that the town of Rehoboth be authorized to create a capital expenditure fund in said town;

**To the committee on Revenue.**

A Bill establishing a sick leave bank for Thomas D. Tierney, an employee of the highway division of the Massachusetts Department of Transportation (House, No. 4117, amended,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Reports

Of the committee on Health Care Financing asking to be discharged from further consideration of the House Bill requiring child and parent involvement in permanency and placement planning (House, No. 120);-- and recommending that the same be referred to the House committee on Ways and Means,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence.**

Of the committee on the Judiciary, asking to be discharged from further consideration of the petition (accompanied by bill, House, No. 3887) of Louis L. Kafka and James E. Timilty for legislation to authorize Paul Scott Noe, an employee of the Trial Court, to transfer his vacation benefits accrued during his time in the Norfolk County Sheriff's Department,-- and recommending that the same be severally referred to the House committee on Ways and Means,-- **was considered forthwith, under Senate Rule 36, and accepted, in concurrence, in so much as relates to the discharge of the joint committee.**

There being no objection, at two minutes past one o'clock P.M., the Chair (Mr. Richard T. Moore) declared a recess subject to the call of the Chair; and, at nine minutes past one o'clock P.M., the Senate reassembled, the President in the Chair.

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

PAPERS FROM THE HOUSE

A Bill making certain appropriations for fiscal year 2015 before final action on the General Appropriation Bill (printed in House, No. 4217,-- being a message from his Excellency the Governor),-- was read.

There being no objection, the rules were suspended, on motion of Mr. Brewer, and the bill was read a second time. At ten minutes past one 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 eleven minutes past one o'clock P.M., a quorum was declared present.

Pending the question on ordering the bill to a third reading Mr. Tarr moved to amend the bill by inserting after section 3, the following new section:-

“SECTION \_\_\_\_\_. Notwithstanding any general or special law to the contrary, the Inspector General of the Commonwealth shall conduct a review of the financial impact of the failure of the health connector website following the implementation of the federal Patient Protection and Affordable Care Act and total funds that have been expended to create an exchange compliant with the federal Patient Protection and Affordable Care Act. The review shall also include a cost analysis of state funds expended for temporary coverage, including those funds that would have been reimbursed by the federal government had the Connector website been properly functioning. The Inspector General shall submit said report to the clerks of the House and Senate and the House and Senate committees on ways and means no later than July 31, 2014. Furthermore, the Inspector General shall submit findings of any violation of state or federal laws to the Attorney General of Massachusetts and to the Office of the United States Attorney in the District of Massachusetts.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at seventeen minutes past one o'clock P.M., on motion of Mr. Tarr as follows, to wit (yeas 7 – nays 27) [**Yeas and Nays No. 368**]:

**YEAS.**

Hedlund, Robert L.	O'Connor Ives, Kathleen
Humason, Donald F., Jr.	Ross, Richard J.
Moore, Michael O.	Tarr, Bruce E. – 7.
Moore, Richard T.	

**NAYS.**

Barrett, Michael J.	Forry, Linda Dorcena
Brewer, Stephen M.	Jehlen, Patricia D.
Brownsberger, William N.	Keenan, John F.
Candaras, Gale D.	Lewis, Jason M.
Chandler, Harriette L.	Lovely, Joan B.
Chang-Diaz, Sonia	Pacheco, Marc R.
Creem, Cynthia Stone	Petrucelli, Anthony
DiDomenico, Sal N.	Rodrigues, Michael J.
Donnelly, Kenneth J.	Rosenberg, Stanley C.
Donoghue, Eileen M.	Rush, Michael F.
Downing, Benjamin B.	Timilty, James E.
Eldridge, James B.	Welch, James T.
Finegold, Barry R.	Wolf, Daniel A. – 27.
Flanagan, Jennifer L.	

**PAIRED.**

<b>YEAS.</b>	<b>NAYS.</b>
Montigny, Mark C.	Joyce, Brian A. (present) – 2.
<b>ABSENT OR NOT VOTING.</b>	
Kennedy, Thomas P.	Spilka, Karen E. – 3.
McGee, Thomas M.	

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

Mr. Tarr moved to amend the bill by inserting after section 3, the following new section:-

“SECTION \_\_\_. Notwithstanding any general or special law to the contrary, the executive office of public safety and security in conjunction with the executive office of administration and finance shall submit a report detailing the amount of revenue and expense to the commonwealth due to the transportation of immigration detainees by the federal Immigration and Customs Enforcement division. Said report shall also examine how and whether any immigration detainees were released from federal custody into the commonwealth and whether the commonwealth has provided any immigration detainees with state benefits.

Said report shall be submitted to the clerks of the house and senate and the house and senate committee on ways and means no later than 60 days of passage of this act.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and the nays at twenty-nine minutes past one o'clock P.M., on motion of Mr. Tarr as follows, to wit (yeas 9 – nays 29) [**Yeas and Nays No. 369**]:

**YEAS.**

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Rush, Michael F.
Moore, Michael O.	Tarr, Bruce E.

Moore, Richard T.  
Pacheco, Marc R.

Timilty, James E. – 9.

**NAYS.**

Barrett, Michael J.  
Brewer, Stephen M.  
Brownsberger, William N.  
Candaras, Gale D.  
Chandler, Harriette L.  
Chang-Diaz, Sonia  
Creem, Cynthia Stone  
DiDomenico, Sal N.  
Donnelly, Kenneth J.  
Donoghue, Eileen M.  
Downing, Benjamin B.  
Eldridge, James B.  
Finegold, Barry R.  
Flanagan, Jennifer L.  
Forry, Linda Dorcena

Jehlen, Patricia D.  
Joyce, Brian A.  
Keenan, John F.  
Kennedy, Thomas P.  
Lewis, Jason M.  
Lovely, Joan B.  
McGee, Thomas M.  
Montigny, Mark C.  
O'Connor Ives, Kathleen  
Petruccelli, Anthony  
Rodrigues, Michael J.  
Rosenberg, Stanley C.  
Welch, James T.  
Wolf, Daniel A. – 29.

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

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

The bill, was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-six minutes before two o'clock P.M., on the motion of Mr. Tarr as follows, to wit (yeas 37 – nays 1) [**Yeas and Nays No. 370**]:

**YEAS.**

Barrett, Michael J.  
Brewer, Stephen M.  
Brownsberger, William N.  
Candaras, Gale D.  
Chandler, Harriette L.  
Chang-Diaz, Sonia  
Creem, Cynthia Stone  
DiDomenico, Sal N.  
Donnelly, Kenneth J.  
Donoghue, Eileen M.  
Downing, Benjamin B.  
Eldridge, James B.  
Finegold, Barry R.  
Flanagan, Jennifer L.  
Forry, Linda Dorcena  
Humason, Donald F., Jr.  
Jehlen, Patricia D.  
Joyce, Brian A.  
Keenan, John F.

Kennedy, Thomas P.  
Lewis, Jason M.  
Lovely, Joan B.  
McGee, Thomas M.  
Montigny, Mark C.  
Moore, Michael O.  
Moore, Richard T.  
O'Connor Ives, Kathleen  
Pacheco, Marc R.  
Petruccelli, Anthony  
Rodrigues, Michael J.  
Rosenberg, Stanley C.  
Ross, Richard J.  
Rush, Michael F.  
Tarr, Bruce E.  
Timilty, James E.  
Welch, James T.  
Wolf, Daniel A. – 37.

**NAYS.**

Hedlund, Robert L. – 1.

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

**The yeas and nays having been completed at twenty-three minutes before two o'clock P.M., the bill was passed to be engrossed, in concurrence.**

On motion of Mr. Brownsberger, remarks given by Mr. Brownsberger relative to the House Bill extending the statute of limitations in civil child sexual abuse cases (House, No. 4126), having been passed to be engrossed, in concurrence, in the Senate on Thursday, June 19, 2014, were ordered printed in the Journal of the Senate. The remarks were included in the Senate Journal for June 19, 2014.

A Bill relative to patient limits in all hospital intensive care units (House, No. 4228,-- on House, No. 1952 and 2103),-- was read.

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

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at two o'clock P.M., on the motion of Ms. Chandler, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 371**]:

**YEAS.**

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
Chang-Diaz, Sonia	Moore, Michael O.
Creem, Cynthia Stone	Moore, Richard T.
DiDomenico, Sal N.	Murray, Therese
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Ross, Richard J.
Forry, Linda Dorcena	Rush, Michael F.
Hedlund, Robert L.	Tarr, Bruce E.
Humason, Donald F., Jr.	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 39.
Keenan, John F.	

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

**The yeas and nays having been completed at three minutes past two o'clock P.M., the bill was passed to be engrossed, in concurrence.**

*Resolutions.*

The following resolutions (having been filed with the Clerk) were considered forthwith and adopted, as follows:- Resolutions (filed by Mr. Montigny) “celebrating the Charles W. Morgan New Bedford homecoming.”

**Reports of Committees.**

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

The Senate Bill relative to the Massachusetts Alzheimer’s and Related Dementias Acute Care Advisory Committee (Senate, No. 295) (the committee on Health Care Financing recommending that the bill be amended by substituting a new draft with the same title, Senate, No. 1882).

**There being no objection, the rules were suspended, on motion of Mr. Welch, and the bill was read a second time and was amended, as recommended by the committee on Health Care Financing.**

**The bill (Senate, No. 1882) was then ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

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

The Senate Bill relating to mutual aid for roadway reconstruction (Senate, No. 933).

**There being no objection, the rules were suspended, on motion of Mr. Michael O. Moore, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act further regulating mutual aid agreements for roadway reconstruction”.**

**Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4230) of Aaron Michlewitz for legislation to establish a sick leave bank for Kimberley DeSiata, an employee of the Department of State Police;

**Under suspension of Joint Rule 12, to the committee on Public Service.**

Petition (accompanied by bill, House, No. 4231) of Matthew A. Beaton and Michael O. Moore (by vote of the town) authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Shrewsbury; and

Petition (accompanied by bill, House, No. 4232) of Garrett J. Bradley, Robert L. Hedlund and James M. Murphy relative to preserving a memorial to landing ship tanks in the town of Hingham;

**Severally, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.**

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Consumer Protection and Professional Licensure be granted until Tuesday, July 8, 2014, within which time to make its final report on current Senate documents numbered 80, 93, and 103, and House documents numbered 213, 236, 248, 256, 258, 262, 267, 3419, 3466, and 3913.

**The rules were suspended, on motion of Ms. Candaras, and, after remarks, the order was adopted, in concurrence.**

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Economic Development and Emerging Technologies be granted until Thursday, July 31, 2014, within which time to make its final report on current Senate documents numbered 176, 193, and 196, and House document numbered 311.

**The rules were suspended, on motion of Ms. Candaras, and, after remarks, the order was adopted, in concurrence.**

*Engrossed Bill.*

An engrossed Bill making certain appropriations for fiscal year 2015 before final action on the General Appropriations Bills (see House Bill, printed in House, No. 4217) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the President and laid before the Governor for his approbation.**

*Report of a Committee.*

By Mr. Brewer, for the committee on Ways and Means, that the House Bill relative to flood insurance (House, No. 3783, amended),-- ought to pass, with amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2229; by striking out the emergency preamble; and by striking out the title and inserting in place thereof the following title: "An Act further regulating flood insurance".

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

The bill, as amended, was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twenty-two minutes past two o'clock P.M., on motion of Mr. Hedlund, as follows, to wit (yeas 34 – nays 3) [Yeas and Nays No. 372]:

**YEAS.**

Barrett, Michael J.	Kennedy, Thomas P.
Brewer, Stephen M.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Candaras, Gale D.	McGee, Thomas M.
Chandler, Harriette L.	Montigny, Mark C.
DiDomenico, Sal N.	Moore, Michael O.
Donnelly, Kenneth J.	Moore, Richard T.
Donoghue, Eileen M.	O'Connor Ives, Kathleen
Downing, Benjamin B.	Pacheco, Marc R.
Finegold, Barry R.	Petruccelli, Anthony
Flanagan, Jennifer L.	Rodrigues, Michael J.

Forry, Linda Dorcena  
Hedlund, Robert L.  
Humason, Donald F., Jr.  
Jehlen, Patricia D.  
Joyce, Brian A.  
Keenan, John F.

Rosenberg, Stanley C.  
Ross, Richard J.  
Rush, Michael F.  
Tarr, Bruce E.  
Timilty, James E.  
Welch, James T. – 34.

**NAYS.**

Chang-Diaz, Sonia  
Creem, Cynthia Stone

Eldridge, James B. – 3.

**ANSWERED “PRESENT”.**

Wolf, Daniel A. (present) – 1.

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

**The yeas and nays having been completed at twenty-six minutes past two o’clock P.M., the bill was passed to be engrossed, in concurrence, with the amendments.**

**Sent to the House for concurrence in the amendments.**

*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 Senate Bill authorizing the town of Westport to assess additional amounts of real estate and personal property to pay certain medical expenses incurred by certain public safety personnel (Senate, No. 2192),-- **was read a second time, ordered to a third reading, read a third time and passed to be engrossed. Sent to the House for concurrence.**

The House Bill authorizing the town of Holliston to establish a department of public works (House, No. 3961),-- **was read a third time and passed to be engrossed, in concurrence.**

PAPERS FROM THE HOUSE.

The following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Wednesday, July 16, 2014, within which time to make its final report on current House documents numbered 754, 800, and 3828.

**The rules were suspended, on motion of Mr. Richard T. Moore, and, after remarks, the order was adopted, in concurrence.**

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Wednesday, July 23, 2014, within which time to make its final report on current House documents numbered 2837, 3917, and 4051.

**The rules were suspended, on motion of Mr. Donnelly, and, after remarks, the order was adopted, in concurrence.**

Ordered, that notwithstanding the provisions of Joint Rule 10, the committee on Transportation be granted until Thursday, July 3, 2014, within which time to make its final report on current Senate document numbered 1643, and House documents numbered 3099 and 3285.

**The rules were suspended, on motion of Mr. McGee, and, after remarks, the order was adopted, in concurrence.**

*Orders of the Day.*

The Orders of the Day were considered as follows:

There being no objection, one matter was considered out of order from the Orders of the Day:

The report of the committee on conference to the Senate Bill to foster economic independence (Senate, No. 1806) (the committee on conference having reported, in part, a “Bill to foster economic independence” (Senate, No. 2212),-- was considered,-- and the report of the committee of conference was accepted.

**Sent to the House for concurrence in the acceptance of the report of the conference committee.**

---

The House Bill establishing a district to operate a regional public safety communications and dispatch center for the city known as the city of Revere and the town of Winthrop (House, No. 3936),-- **was read a second time and ordered to a third reading.**

The report of the committee on conference to the Senate Bill to foster economic independence (Senate, No. 1806) (the committee on conference having reported, in part, a “Bill to foster economic independence” (Senate, No. 2211),-- was considered,-- and the report of the committee of conference was accepted.

**Sent to the House for concurrence in the acceptance of the report of the conference committee.**

---

The House Bill financing information technology equipment and related projects (House, No. 3770),-- was read a second time.

After remarks, pending the question on adoption of the Bonding committee new text (Senate, No. 2218), pending the question on adoption of the Ways and Means new text (Senate, No. 2223), and pending the main question on ordering the bill to a third reading, Mr. Joyce moved that the proposed new text be amended by adding the following new section:--

“SECTION XX. Appropriations made pursuant to sections 2, 2A, 2B and 2C shall be available for expenditure in the 3 fiscal years following June 30 of the calendar year in which the appropriation is made and any portion of such appropriation representing encumbrances outstanding on the records of the comptroller’s office at the close of the third fiscal year may be applied to the payment thereof any time thereafter. The unencumbered balance shall revert to the commonwealth at the close of the third fiscal year.”

After remarks, the amendment was adopted.

---

There being no objection, during consideration of the Orders of the Day, one matter was taken up for consideration, as follows:

#### PAPER FROM THE HOUSE

##### *Engrossed Bill.*

An engrossed Bill relative to patient limits in all hospital intensive care units (see House, No. 4228) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the President and laid before the Governor for his approbation.

---

##### *Orders of the Day.*

The Orders of the Day were further considered as follows:

The House Bill financing information technology equipment and related projects (House, No. 3770),-- was considered, the main question being on ordering it to a third reading.

Mr. Joyce moved that the proposed new text be amended by inserting the following new sections:-

“SECTION XX.

#### JUDICIARY

##### Trial Court

“0330-0935 For costs associated with planning and studies, the preparation of plans and specifications, purchase, procurement and implementation of information technology-related equipment and related projects for the Massachusetts trial court. . . . \$30,000,000”;

“SECTION XX. To meet the expenditures necessary to carry out section XX, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, \$30,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Information Technology and Innovation Act of 2014, and shall be issued for a maximum term of years, not exceeding 10 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2029. All interest and payments on account of principal of these obligations shall be payable from the General Fund. Bonds issued under the authority of this section shall be general obligations of the commonwealth.”

The amendment was *rejected*.



Mr. Rush moved to amend the proposed new text in section 2A, in item 1790-3003, by inserting after the words "state house," in line 53 the following words:- "; provided further, that not less than \$5,000,000 be expended for technology upgrades to the City of Boston's Archives and Records Management Division"; and by striking out the figures "\$220,000,000," and inserting in place thereof the following figures "\$225,000,000."

The amendment was *rejected*.

Mr. Hedlund moved that the proposed new text be amended in section 2, in item 1790-3001 by after the words "General Laws" the following words:- ", provided further that notwithstanding any general or special law to the contrary, no person shall be eligible for public housing under any terms and conditions other than those authorized under 42 U.S.C §§1436a".

The President ruled that the amendment was beyond the scope of the bill and the amendment was laid aside.

Mr. Ross moved that the proposed new text be amended in subsection (j) of section 5 by adding at the end thereof the following sentence:- "All reports shall be made available on the division's website."

After remarks, the amendment was adopted.

Mr. Rosenberg moved to amend the proposed new text by adding the following new section:

"SECTION X. The town of Montague may utilize the provisions of General Law Chapter 40Q to develop telecommunications and broadband infrastructure in partnership with the town of Leverett."

After remarks, the amendment was adopted.

Mr. Tarr moved to amend the proposed new text by inserting at the end thereof the following new section:-

"SECTION \_\_. Paragraph 2 of section 4 of chapter 17 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting at the end thereof the following sentence:-

The registrar shall provide electronic access to any state agency or board, including but not limited to the State Board of Retirement and the Office of the Jury Commissioner, to facilitate verification to ensure that those receiving state benefits or being asked to perform a state service are not disqualified for the benefit or from performing the service as a result of appearing on the registry of deaths."

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof the following:- "provided further, that \$50,000 shall be expended for the server capacity upgrade projects in the Public Safety Building and the Public Works Building in the town of Wrentham;".

The amendment was *rejected*.

Messrs. Tarr and Montigny moved to amend the proposed new text in section 2A, by inserting after the word "project", in line 66, the following:- "; provided further, that any contract for the procurement of supplies, services or real property paid for in whole or in part using these funds shall comply with the competitive bidding requirements established in section 22 of chapter 7 of the general laws and accompanying regulations, notwithstanding any general or special law to the contrary, including but not limited to any law or regulation permitting the award of contracts without competition in cases of emergency".

The amendment was adopted.

Ms. Spilka moved to amend the proposed new text in section 2, in item 1790-3001, by inserting at the end thereof the following:- "provided that not less than \$100,000 shall be expended for technology upgrades for the Ashland public schools".

The amendment was *rejected*.

Ms. Spilka moved to amend the proposed new text in section 2, in item 1790-3001, by inserting at the end thereof the following:- "provided that not less than \$150,000 shall be expended for Partnerships for a Skilled Workforce to improve technology capacity of projects designed to increase youth employment".

The amendment was *rejected*.

Ms. Spilka moved to amend the proposed new text in section 2, in item 1790-3001, by inserting at the end thereof the following:- "provided that not less than \$273,000 shall be expended for the emergency radio and communications infrastructure in the town of Medway".

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 15, by adding at the end thereof the following sentence:- "All reports shall be made available on the General Court's website;".

The amendment was adopted.

Mr. Tarr moved to amend the proposed new text in section 2B, by inserting at the end thereof the following:-

"1599-7064 For a competitive, matching grant program, administered by the executive office of administration and finance, in consultation with the information technology division, to assist municipalities develop enhanced information technology infrastructure, networking devices, and increasing broadband access as defined in section 6B of chapter 40J of the General Laws; provided further, that no grants shall be awarded until the secretary of the executive office of administration and finance, in consultation with the information technology division, develops a strategic plan to ensure that the program maximizes taxpayer value; provided further that the secretary shall submit the plan to the clerks of the house of representatives and the senate on or before March 1, 2015; provided further that a municipality may contribute matching funds from either a public or private source; provided further, that the secretary, in consultation with the information technology division, shall determine the criteria used to evaluate applications for the matching grant program; provided further, that such criteria shall include, but not be limited to, the commitment of the

municipality to improve municipal services through the use of technology, to develop regional information technology programs, to increase public broadband access, and to produce cost savings through the use of technology .....\$20,000,000”; and

By striking section 10 in its entirety and inserting in place thereof the following:-

“SECTION 10. To meet the expenditures necessary to carry out items 1599-7061, 1599-7062, and 1599-7064 of section 2B, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, \$108,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Information Technology and Innovation Act of 2014, and shall be issued for a maximum term of years, not exceeding 20 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2039. All interest and payments on account of principal of these obligations shall be payable from the General Fund. Bonds and interest thereon issued under the authority of this section shall be general obligations of the commonwealth.”

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof, the following:- “Provided further, that \$56,000 shall be expended for information technology components of the joint police and fire dispatch project in the town of North Attleboro;”.

The amendment was *rejected*.

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

“SECTION XX. Chapter 15 of the General Laws, as appearing in the 2012 Official Edition, is hereby amended by inserting after section 66, the following new section:-

SECTION 67. Section 1. The commissioner of Department of Elementary and Secondary Education shall increase the efficiency of government through:

- (1) Reducing the use of paper through maximizing the available uses of information technology, including alternative information technologies to substitute for paper and increasing the use of electronic methods for the maintenance, submission, or disclosure of information, to improve data quality, agency efficiency and responsiveness to the public;
  - (2) Eliminating costly and wasteful government publications through the expanded use of electronic methods for distribution of documentation throughout state government, where feasible and appropriate;
  - (3) eliminating duplicative permitting and paperwork requirements through implementing inter-agency file sharing technologies in order that electronically stored data can be viewed and routed, where appropriate, by multiple agencies.
- Section 2. The commissioner shall investigate any current statutory impediments for the reduction of the use of paper by state government and any impediments both statutory and technological, for more efficient electronic data storage and dissemination. The commissioner shall submit his findings, along with any legislative recommendations to address those findings, to the house and senate clerks, and the joint committee on education no later than August 31, 2014.
- Section 3. The department of education shall, no later than July 1, 2015 and biannually thereafter, inventory all state and federal planning, reporting, and data gathering required of public education administrators to assess whether requirements for filing paperwork are still necessary and shall develop a single master reporting form to prevent duplicate information from being reported more than once yearly per school district. Commencing July 1, 2015, notwithstanding any special or general law to the contrary, no public school district shall be required to report the same information more than once yearly to any agency or department of the commonwealth except to provide the master reporting form as requested.”

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof, the following:- “provided further, that \$450,000 shall be expended to the town of Sherborn for improvements to the town accounting software, phone system, and network;”.

The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended by adding a new section:-

“SECTION 16. Provided that not less than \$130,000 shall be expended for costs associated with planning, purchase, procurement and implementation of information technology-related equipment for virtual desktop integration and network lock down protocol software for Holyoke Community College.”

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 13, by adding at the end thereof the following sentence:- “All reports shall be made available on the Executive Office of Administration and Finance’s website.”

The amendment was adopted.

Ms. Donoghue moved to amend the proposed new text in section 2, in item 1790-3001, by inserting at the end thereof the following:- “provided further, that not less than \$7.5 million shall be expended to replace the information technology systems for the County and State Registries of Deeds”.

The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof, the following:- “provided further, that \$60,000 shall be expended for server consolidation and upgrades at Beverly City Hall”.

The amendment was *rejected*.

Mr. Timilty moved to amend the proposed new text in section 2, by adding the following item:-

“EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY  
Department of State Police

“8000-2030 For the executive office of public safety and security for the completion of the upgrade to the existing statewide communications network for the department of state police, as authorized by chapter 142 of the acts of 2002, including the primary voice radio communications network for the department and other state and local public safety agencies; provided, that the department of state police shall submit to the house and senate committees on ways and means a report detailing specific contract payment milestones.....\$68,200,000”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at seventeen minutes past three o’clock P.M., on motion of Mr. Brewer, as follows, to wit (yeas 38 – nays 0) **[Yeas and Nays No. 373]**:

**YEAS.**

- |                          |                         |
|--------------------------|-------------------------|
| Barrett, Michael J.      | Keenan, John F.         |
| Brewer, Stephen M.       | Kennedy, Thomas P.      |
| Brownsberger, William N. | Lewis, Jason M.         |
| Candaras, Gale D.        | Lovely, Joan B.         |
| Chandler, Harriette L.   | McGee, Thomas M.        |
| Chang-Diaz, Sonia        | Montigny, Mark C.       |
| Creem, Cynthia Stone     | Moore, Michael O.       |
| DiDomenico, Sal N.       | Moore, Richard T.       |
| Donnelly, Kenneth J.     | O'Connor Ives, Kathleen |
| Donoghue, Eileen M.      | Pacheco, Marc R.        |
| Downing, Benjamin B.     | Petrucelli, Anthony     |
| Eldridge, James B.       | Rodrigues, Michael J.   |
| Finegold, Barry R.       | Rosenberg, Stanley C.   |
| Flanagan, Jennifer L.    | Ross, Richard J.        |
| Forry, Linda Dorcena     | Rush, Michael F.        |
| Hedlund, Robert L.       | Tarr, Bruce E.          |
| Humason, Donald F., Jr.  | Timilty, James E.       |
| Jehlen, Patricia D.      | Welch, James T.         |
| Joyce, Brian A.          | Wolf, Daniel A. – 38.   |

**NAYS – 0.**

**ABSENT OR NOT VOTING.**

- Spilka, Karen E. – 1.

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

Ms. Donoghue moved to amend the proposed new text in section 2, in item 1790-3001, by inserting at the end thereof the following:- “provided further, that not less than \$3,000,000 shall be expended for costs associated with technology improvements for the Lowell public school district”.

The amendment was *rejected*.

Mr. Ross moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof the following:- “provided further, that \$29,000 shall be expended for computer replacement, wireless network installation, and an electronic meeting initiative in the town of Millis;”.

The amendment was *rejected*.

Mr. Tarr moved to amend the proposed new text by inserting in line 306, after the word “require”, the following new sentence:

“The team shall also provide assistance to agencies in adhering to policies established by the CCIO in subsection (b).”; and

By inserting in line 329 after clause (v), the following new clause:-

“(vi) prepare a written business plan for any large-scale IT initiative which shall include reasons for the project, any perceived risks, methods for risk mitigation, essential goals and metrics to determine success in attaining those goals, and conducting a return-on-investment analysis at various stages throughout development and creating a clearly-defined set of measurable goals at the outset of a project. Said plan shall be submitted to the clerks of the house and senate and made available on the general court website”.

Mr. Richard T. Moore in the Chair, after debate, the question on adoption of the amendment was determined by a call

of the yeas and nays, at twenty-nine minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 7 – nays 31) [**Yeas and Nays No. 374**]:

**YEAS.**

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E.
Lewis, Jason M.	Timilty, James E. – 7.
Pacheco, Marc R.	

**NAYS.**

Barrett, Michael J.	Joyce, Brian A.
Brewer, Stephen M.	Keenan, John F.
Brownsberger, William N.	Kennedy, Thomas P.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Petruccelli, Anthony
Downing, Benjamin B.	Rodrigues, Michael J.
Eldridge, James B.	Rosenberg, Stanley C.
Finegold, Barry R.	Rush, Michael F.
Flanagan, Jennifer L.	Welch, James T.
Forry, Linda Dorcena	Wolf, Daniel A. – 31.
Jehlen, Patricia D.	

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

The yeas and nays having been completed at twenty-eight minutes before four o'clock P.M., the amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended by adding a new section:-

“SECTION 16. Provided that not less than \$150,000 shall be expended for costs associated with planning, purchasing, procurement and implementation of information technology-related equipment for Westfield State University.”

The amendment was *rejected*.

Ms. Lovely moved that the proposed new text be amended in section 2, in item 1790-3001, by inserting at the end thereof, the following:- “provided further, that \$350,000 shall be expended for a centralized Voice-over-Internet protocol municipal phone system for the City of Beverly”.

The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 6, by striking out the words “(vii) preferring off-the-shelf information technology products, except where such products would not result in the best value of the commonwealth;” in lines 289-290, and inserting in place thereof the following:-“(vii) the comparison of off-the-shelf information technology products and custom written information technology products, to ensure the best value for the commonwealth; provided further that best value shall not be measured solely on lowest cost;”.

The amendment was *rejected*.

Mr. Humason moved that the proposed new text be amended by adding a new section:-

“SECTION 16. Provided that not less than \$350,000 shall be expended for costs associated with procurement and installation of a Mass Notification and Warning System for the Massachusetts 104th Fighter Wing Air National Guard Base.”

The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 2B, by inserting after item 1599-7063 the following new item:-

“XXXX-XXXX For costs associated with the planning, preparation of plans and specifications, purchase, procurement and implementation of information technology-related equipment and related projects for the executive office of health and human services to expand and improve the capacity, utilization, and accessibility of the Massachusetts Behavioral Health Access web site and associated or equivalent resources, the purpose of said expansion and improvement being to enhance the timeliness, accuracy, ease of access, and level of detail of the information available to providers and patient advocates to assist in securing appropriate placement and treatment for patients in need of mental health, behavioral health, and addiction treatment services .....\$1,500,000”.

After remarks, the amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 2B, in item 1599-7062, by adding after the word “improvement” in line 87, the following:- “or to school buildings who have submitted a statement of interest to the

Massachusetts School Building Authority for construction of a new school through the Core Program; provided further that a school building may regain eligibility for grants under this section if their statement of interest and application to said Authority is withdrawn or if the said Authority does not invite the school building into their capital pipeline; provided further that school buildings who are awarded grants under this section are still eligible to apply to said Authority's Accelerated Repair Program, but precluded from applying to said Authority's Core Program for construction of a new school within 7 years from the completion of the installation, retrofit or capital improvement;". After remarks, the amendment was rejected.

Ms. Creem and Mr. Tarr moved that the proposed new text be amended in section 6, by inserting after the word "projects", in line 272, the following words:- "and all ongoing projects";

In said section 6, in subsection (b) of proposed section 22P of chapter 7 of the General Laws, by inserting after clause (i) the following clause:-

"(i 1/2) identifying which information technology projects and procurements shall require the services of an independent verification and validation consultant;";

In said section 6, by striking out, in line 297, the word "writing" and inserting in place thereof the following word:- "drafting";

In said section 6, by inserting after the word drafting, in line 300, the following words "and reviewing";

In said section 6, by striking out, in lines 305 and 306, the words "commonwealth change in the information technology industry and trends in information technology contracting so require" and inserting in place thereof the following words:- "commonwealth change in the information technology industry and trends in information technology contracting so require. In developing the standard contract terms, the information technology procurement team may consider, as part of managing contracting risk, incorporating language addressing protection of the commonwealth's intellectual property rights, deliverable acceptance criteria, acceptable time periods for review of deliverables with the possibility of extensions as needed, testing procedures to ascertain a new system's functionality in handling all foreseeable scenarios, payment methods dependent upon achievement of business functionality milestones, training for agency staff, acceptable warranty periods, financial penalties to the vendor for delays and provisions allowing for termination of the contract by the commonwealth if deemed necessary or beneficial";

In said section 6, by inserting after the word "information", in line 309, the following word:- "technology";

In said section 6, in subsection (d) of proposed section 22P of section 7 of the General Laws, by striking out clause (v) and inserting in place thereof the following 2 clauses:-

"(v) provide to the CCIO a list of information technology projects that have significantly failed to deliver the anticipated business benefits, of which the CCIO, in consultation with the assistant secretary for operational services, shall conduct, through the use of an external resource, an analysis of the causes of such failure; and

(vi) gather and maintain relevant records, documents and information relating to vendor performance on ongoing and completed projects to assist agencies in learning about prospective vendors' past performance";

In said section 6, in proposed section 22P of said chapter 7, by adding the following subsection:-

"(e) The CCIO shall establish an enterprise project management office to assign project managers to oversee and manage large information technology projects or other types of capital projects. Project managers, in consultation with the SCIO, shall provide reports, not less than quarterly, on project management status, progress, performance and expenditures for all ongoing information technology projects. Based on the reports, the CCIO, in consultation with the SCIO, may make decisions regarding the funding or continued funding of information technology projects."; and By adding the following section:-

"SECTION 17. The executive office for administration and finance shall promulgate regulations relative to the hiring of former employees of information technology vendors for executive branch management positions in which such former employees may be required to directly oversee the work of that same vendor and shall submit such regulations to the house and senate committees on bonding, capital expenditures and state assets and the house and senate committees on ways and means by December 31, 2014."

After remarks, the amendment was adopted.

Ms. Chang-Diaz moved to amend the proposed new text in section 2B, in item 1599-7062, by inserting after the word "Laws", in line 78, the following words:- " provided further, that entities eligible to receive such grants shall include public school districts, charter schools, consortia of such districts, educational collaboratives and regional councils of governments; provided further, that the office, in consultation with the department, may consider applications submitted by special education schools approved under chapter 71B of the General Laws" and

In said section 2B, in said item 1599-7062, by inserting after the word "preparedness", in line 82, the following words:- " provided further, that the strategic plan shall ensure cost-effective purchasing and regional solutions, if applicable, and the means by which the department shall ensure equity between districts of different wealth and income in different areas of the commonwealth".

After remarks, the amendment was adopted.

Mr. Tarr moved to amend the proposed new text in section 2B, in line item 1599-7062, by inserting at the end thereof the following:- "provided further, the department of elementary and secondary education, in consultation with the Massachusetts Association of School Committees, the Massachusetts Association of School Superintendents, the Massachusetts Teachers Association, the Massachusetts Federation of Teachers, and the Massachusetts Municipal Association, shall evaluate and determine, to the greatest feasible extent, the cost to the commonwealth, school

districts, and municipalities of the technology including but not limited to hardware, access and software required to implement and conduct the PARCC assessment, and the ability of municipalities and school districts to pay for said technology; provided further that in preparing the report the department shall conduct at least one public hearing and shall issue its report to the clerks of the house of representatives and the senate, the house and senate committees on ways and means, and the joint committee on education by no later than March 1, 2015”.

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-five minutes past four o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 16 – nays 22) **[Yeas and Nays No. 375]**:

**YEAS.**

Candaras, Gale D.  
Chandler, Harriette L.  
Creem, Cynthia Stone  
Donoghue, Eileen M.  
Eldridge, James B.  
Hedlund, Robert L.  
Humason, Donald F., Jr.  
Jehlen, Patricia D.

Lovely, Joan B.  
Moore, Michael O.  
Moore, Richard T.  
O'Connor Ives, Kathleen  
Ross, Richard J.  
Tarr, Bruce E.  
Timilty, James E.  
Wolf, Daniel A. – 16.

**NAYS.**

Barrett, Michael J.  
Brewer, Stephen M.  
Brownsberger, William N.  
Chang-Diaz, Sonia  
DiDomenico, Sal N.  
Donnelly, Kenneth J.  
Downing, Benjamin B.  
Finegold, Barry R.  
Flanagan, Jennifer L.  
Forry, Linda Dorcena  
Joyce, Brian A.

Keenan, John F.  
Kennedy, Thomas P.  
Lewis, Jason M.  
McGee, Thomas M.  
Montigny, Mark C.  
Pacheco, Marc R.  
Petruccelli, Anthony  
Rodrigues, Michael J.  
Rosenberg, Stanley C.  
Rush, Michael F.  
Welch, James T. – 22.

**ABSENT OR NOT VOTING.**

Spilka, Karen E. – 1.

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

Mr. Wolf moved to amend the proposed new text in line 87, by inserting after the word “improvement;” the following words:- “provided further, that grants may be issued for networking and devices if the useful life of the device shall be accomplished prior to the decommission or razing;”.

After remarks, the amendment was adopted.

Mr. Tarr moved to amend the proposed new text in section 2A, by inserting after the word “project” in line 66 the following:- “; provided, however, that no funds may be expended on an exchange website under The Patient Protection and Affordable Care Act, Pub. L. 111-148 & 111-152, unless the federal government agrees in writing to fully reimburse said funds; provided further, that any contract for the procurement of supplies, services or real property paid for in whole or in part using these funds shall comply with the competitive bidding requirements established in section 22 of chapter 7 of the general laws and accompanying regulations, notwithstanding any general or special law to the contrary, including but not limited to any law or regulation permitting the award of contracts without competition in cases of emergency”.

Pending the question on adoption of the amendment (Tarr), Mr. Hedlund moved that the pending amendment be further amended by inserting at the end thereof the following:- in section 2A, in item 1790-3003, by inserting after the words “state house;” in line 53 the following words:-

“provided further, that funds shall be expended by the department of housing and community development to implement technology upgrades to ensure that no person shall be eligible for public housing under any terms and conditions other than those authorized under 42 U.S.C §§1436a.”

The Chair (Mr. Richard T. Moore) ruled that the further amendment (Hedlund) was beyond the scope of the pending legislation and laid aside the amendment.

After debate, Mr. Tarr doubted the ruling of the Chair; and this motion was seconded by Mr. Hedlund.

After further debate, the question on “Shall the ruling of the Chair Stand?” was determined by a call of the yeas and nays, at nine minutes before five o'clock, on motion of Mr. Hedlund, as follows, to wit (yeas 34 – nays 4) **[Yeas and Nays No. 376]**:

**YEAS.**

Barrett, Michael J.

Keenan, John F.

Brewer, Stephen M.	Kennedy, Thomas P.
Brownsberger, William N.	Lewis, Jason M.
Candaras, Gale D.	Lovely, Joan B.
Chandler, Harriette L.	McGee, Thomas M.
Chang-Diaz, Sonia	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
DiDomenico, Sal N.	Moore, Richard T.
Donnelly, Kenneth J.	O'Connor Ives, Kathleen
Donoghue, Eileen M.	Pacheco, Marc R.
Downing, Benjamin B.	Petrucelli, Anthony
Eldridge, James B.	Rodrigues, Michael J.
Finegold, Barry R.	Rosenberg, Stanley C.
Flanagan, Jennifer L.	Rush, Michael F.
Forry, Linda Dorcena	Timilty, James E.
Jehlen, Patricia D.	Welch, James T.
Joyce, Brian A.	Wolf, Daniel A. – 35.

**NAYS.**

Hedlund, Robert L.	Ross, Richard J.
Humason, Donald F., Jr.	Tarr, Bruce E. – 4.

**ABSENT OR NOT VOTING.**

Spilka, Karen E.– 1.

The yeas and nays having been completed at five minutes before five o'clock P.M., the ruling of the Chair stood, and the further amendment (Hedlund) was laid aside.

The pending amendment (Tarr) was then considered; and it was *rejected*.

Mr. Joyce moved that to amend the proposed new text by inserting after section 2C the following section:-  
 “SECTION 2D.

**EXECUTIVE OFFICE FOR ADMINISTRATION AND FINANCE**  
*Office of the Secretary*

1100-9201 For costs associated with the procurement and purchase of capital equipment necessary for general government operations, provided that the secretary of administration and finance, in consultation with the state treasurer, shall adopt regulations establishing a program by which state agencies shall be assessed from their annual appropriations for the costs of debt service and administrative expense and the comptroller shall transfer agency assessments to the state treasurer for the repayment of debt without further appropriation; and provided further, that the comptroller may create such accounts on the books of the commonwealth as the comptroller deems necessary for the administration of this section. .... \$2,000,000”; and

By inserting after section 12 the following section:-

“SECTION 12A. (a) To meet the expenditures necessary to carry out section 2D, the state treasurer shall, upon request of the governor, issue and sell bonds of the commonwealth in an amount to be specified by the governor from time to time, but not exceeding, in the aggregate, \$2,000,000. All bonds issued by the commonwealth under this section shall be designated on their face, Capital Equipment Financing Act of 2014, and shall be issued for a maximum term of years, not exceeding 5 years, as the governor may recommend to the general court under section 3 of Article LXII of the Amendments to the Constitution. All such bonds shall be payable not later than June 30, 2024.

(b) All interest and payments on account of principal of these obligations shall be payable from agency assessments charged under regulations established in section 2D.

(c) In lieu of issuing all or any portion of the bonds authorized by this section, the state treasurer, with the concurrence of the secretary of administration and finance, may enter into lease agreements or other alternate financing arrangements, which agreements or arrangements shall be payable from agency assessments and the amount of which, together with any bonds issued or to be issued, shall not exceed the amount specified in subsection (a). The General Laws applicable to bonds of the commonwealth shall also apply to any such agreements or arrangements.”.

The amendment was adopted.

Mr. Brewer moved to amend the proposed new text in section 5, by inserting after the word “transition”, in line 233, the following word:- “to”;

In section 8, by striking out, in line 389, the words “and 1790-3002” and inserting in place thereof the following words:- “1790-3002 and 8000-2030”;

In said section 8, by striking out, in line 392, the figure “\$449,000,000” and inserting in place thereof the following figure:- “\$517,200,000”; and

By adding the following section:-

“SECTION 17. Notwithstanding any general or special law to the contrary, the bonds that the state treasurer may issue

pursuant to this act shall be issued for a term not to exceed 30 years. All such bonds shall be payable not later than June 30, 2049, as recommended by the governor in a message to the general court dated June 26, 2014 under section 3 of Article LXII of the Amendments to the Constitution.”

**The amendment was adopted.**

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

**The Bonding, Capital Expenditures and State Assets amendment was then adopted, as amended.**

**The bill (House, No. 3770) was then ordered to a third reading, read a third time and, after remarks, was passed to be engrossed, in concurrence, with the amendment [For text of Senate amendment, see Senate, No. 2230, printed as amended].**

*Report of a Committee.*

By Mr. Rosenberg, for the committees on Rules of the two branches, acting concurrently, that the Senate Order relative to granting the committee on Public Safety and Homeland Security be granted until June 26, 2014 on certain Senate documents relative to public safety (Senate, No. 2149),-- ought to be adopted.

The rules were suspended, on motion of Mr. Timilty, and the order was considered forthwith.

Pending the question on adoption of the order, Mr. Timilty moved that the order be amended by striking out the words “June 26, 2014” and inserting in place thereof the following words: “July 3, 2014”.

**After remarks, the amendment was adopted.**

**The order (Senate, No. 2149, amended) was then adopted.**

**Sent to the House for concurrence.**

*Moment of Silence.*

At the request of the Chair (Mr. Richard T. Moore), the members, guests and staff stood in a moment of silence and reflection to the memory of Bishop Michael R. Lunsford.

*Order Adopted.*

On motion of Mr. Michael O. Moore,--

Ordered, That when the Senate adjourns today, it adjourn to meet again tomorrow at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

---

*Adjourn In Memory of Bishop Michael R. Lunsford*

The Senator from Plymouth and Bristol, Mr. Pacheco moved that when the Senate adjourns today, it do so in memory of Bishop Michael R. Lunsford.

Bishop Michael R. Lunsford, of Taunton, died on June 3, 2014.

One of the most tenured pastors in the Commonwealth, Bishop Lunsford served the Antioch Church in Taunton for over 30 years. Bishop Lunsford was a graduate of Zion Bible Institute and Southwestern Assemblies of God College, earned a Masters in Art and Doctorate of Theology from Evangelical Theological Seminary and a Doctorate of Ministry from United Theological Seminary and the Robert Schuller School of Preaching.

Bishop Lunsford organized Taunton's largest food pantry, The Lord Cares, founded the Northeast School of Ministry and was deeply involved in many community organizations. He was a gifted teacher and preacher of God's word and he had masterful way of presenting the Gospel in a manner that could be understood by all. A leader among his peers, his wisdom and counsel was often sought by many.

Bishop Lunsford is survived by his wife of 32 years, Sharon, and their two daughters, Bethany and Rebekah..

Accordingly, as a mark of respect in memory of Bishop Michael R. Lunsford, three minutes past five o'clock P.M., on motion of Mr. Michael O. Moore, the Senate adjourned to meet again tomorrow at eleven o'clock A.M.

---