

Massachusetts House Journal, 6/11/2008

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Wednesday, June 11, 2008  
Massachusetts House of Representatives  
2008 Regular Session

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

Prayer was offered by the Reverend Robert F. Quinn, C.S.P., Chaplain of the House, as follows:

God, Our Creator and the Lord of History, we begin each day with the intention of opening our minds and hearts to You and of recognizing Your daily gifts and blessings. In responding to our personal responsibilities, help us to remain faithful to our own high ideals, our personal material and spiritual goals and to our traditional principles. Teach us to be open to the suggestions as well as to the constructive criticism of constituents. Inspire us to continue to build confidence, trust and hope in our traditional institutions, our constitutional principles and in the goodwill of all people. May we face the future of the Commonwealth with enthusiasm, a creative spirit and a continues concern for the dignity and rights of each individual.

Grant Your blessings to the Speaker, the members and employees of this House and their families. Amen.

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

*Statement Concerning Representative deMacedo of Plymouth.*

A statement of Mr. Jones of North Reading concerning Mr. deMacedo of Plymouth was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Representative deMacedo of Plymouth, will not be present in the House Chamber for the remainder of today's sitting due to a long standing family commitment. Any roll calls that he may miss today will be due entirely to the reason stated.

*Statement of Representative Kennedy of Brockton.*

A statement of Mr. Kennedy of Brockton was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was not present in the House Chamber for a portion of today's sitting due to my convalescence after a medical procedure. Any roll calls that I may have missed today or during the past few weeks was due entirely to the reason stated.

*Guests of the House.*

During the session, Mr. O'Day of West Boylston took the Chair, declared a brief recess and introduced a group of thirteen young adults from the Mercy Centre in Worcester, including his son, Patrick. The group was composed of young adults with developmental disabilities participating in the Employment and Training and Community Based Day Services in Worcester. They were the guests of Representative O'Day.

*Resolutions.*

Resolutions (filed with the Clerk by Mr. Greene of Billerica) congratulating Alexander (Sandy) Infanger, Jr. on his retirement from the Billerica public school system, were referred, under Rule 85, to the committee on Rules.

Mr. Scaccia of Boston, for the committee on Rules, then reported that the resolutions ought to be adopted. Under suspension of the rules, on motion of Mr. Rushing of Boston, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Petitions.*

Petitions severally were presented and referred as follows:

By Representative Gifford of Wareham and Senator Pacheco, joint petition (accompanied by bill, House, No. 4830) of Susan Williams Gifford and Marc R. Pacheco (by vote of the town) for legislation to authorize the town of Wareham to issue additional licenses for the sale of alcoholic beverages within certain designated areas of said town;

By Mr. Linsky of Natick, petition (accompanied by bill, House, No. 4831) of David Paul Linsky and others (by vote of the town) that the town of Natick be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises of such licensees; and

By Mr. McMurtry of Dedham, petition (accompanied by bill, House, No. 4832) of Paul McMurtry (by vote of the town) for legislation to authorize the town of Westwood to grant a license for the sale of wine and malt beverages at a supermarket or grocery store;

Severally to the committee on Consumer Protection and Professional Licensure.

By Ms. Malia of Boston, petition (accompanied by bill, House, No. 4833) of Elizabeth A. Malia and Dianne Wilkerson (with the approval of the mayor and city council) for legislation to regulate evictions on certain foreclosed residential property in the city of Boston. To the committee on Housing.

By Mr. Torrissi of North Andover, petition (accompanied by bill, House, No. 4834) of Barbara A. L'Italien and others (by vote of the town) for legislation to exempt the town of Andover from certain provisions of the prevailing wage law. To the committee on Labor and Workforce Development.

By Mr. Conroy of Wayland, petition (accompanied by bill, House, No. 4835) of Susan C. Fargo and others (by vote of the town) that the town of Sudbury be authorized to place certain funds from insurance settlements into accounts of the police and fire departments of said town; and

By Mr. Pignatelli of Lenox, petition (accompanied by bill, House, No. 4836) of William Smitty Pignatelli (by vote of the town) relative to the designation of alternate members to serve on the conservation commission of the town of Stockbridge;

Severally to the committee on Municipalities and Regional Government.

By Representative Bradley of Hingham and Senator Hedlund, joint petition (accompanied by bill, House, No. 4837) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) relative to the appointment of Michael P. Hickey to the police department of the town of Hingham;

By Mr. DeLeo of Winthrop, petition (accompanied by bill, House, No. 4838) of Robert A. DeLeo and others (with the approval of the mayor and city council) that the mayor of the city of Revere be authorized to appoint additional members to the reserve force of the fire department of said city;

By Mr. McMurtry of Dedham, petition (accompanied by bill, House, No. 4839) of Paul McMurtry (by vote of the town) relative to the appointment of Richard Corcoran and Kazimierz R. Piorkowski, Jr., to the position of fire fighter in the town of Westwood, notwithstanding the maximum age requirements;

By the same member, petition (accompanied by bill, House, No. 4840) of Paul McMurtry (by vote of the town) for legislation to establish a group insurance liability fund for retired public employees of the town of Westwood; and

By Mr. Miceli of Wilmington, petition (accompanied by bill, House, No. 4841) of Bruce E. Tarr and James R. Miceli (by vote of the town) for legislation to authorize the appointment of Darryl Sencabaugh as a fire fighter in the town of Wilmington, notwithstanding the maximum age requirements;

Severally to the committee on Public Service.

By Representative Bradley of Hingham and Senator Hedlund, joint petition (accompanied by bill, House, No. 4842) of Garrett J. Bradley and Robert L. Hedlund (by vote of the town) that the town of Hull be authorized to incorporate into its local tax bills a checkoff or donation form for support of the veterans council assistance fund of said town. To the committee on Revenue.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Messrs. Casey of Winchester and Natale of Woburn, petition (subject to Joint Rule 12) of Patrick M. Natale, Paul C. Casey and another that the Division of Capital Asset Management and Maintenance be authorized to sell and convey a certain parcel of land in the town of Stoneham.

By Mr. Lantigua of Lawrence, petition (subject to Joint Rule 12) of William Lantigua that employers of operators of limousines be required to obtain criminal record information of such drivers from the Criminal History Systems Board.

By Mr. Miceli of Wilmington, petition (subject to Joint Rule 12) of James R. Miceli for legislation to authorize Daniel E. Murray of the town of Tewksbury to take an examination for the position of police officer for appointment to the Department of State Police.

By Mr. Speranzo of Pittsfield, petition (subject to Joint Rule 12) of Christopher N. Speranzo and others for legislation to establish a sick leave for Shannon Crouse, an employee of the District Court of Southern Berkshire.

Severally, under Rule 24, to the committee on Rules.

*Paper from the Senate.*

Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2744) of Benjamin B. Downing for legislation to create green collar jobs training. To the committee on Economic Development and Emerging Technologies.

Petition (accompanied by bill, Senate, No. 2745) of Gale D. Candaras for legislation to establish a sick leave bank for Alice Eldridge, an employee of the Department of Revenue. To the committee on Public Service.

*Reports of Committees.*

By Mr. Scaccia of Boston, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of Byron Rushing and Martha M. Walz relative to certain projects undertaken by the Massachusetts Convention Center Authority at the Hynes Convention Center in the city of Boston. Under suspension of the rules, on motion of Mr. Rushing of Boston, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

*Engrossed Bills.*

Engrossed bills

Regulating the provision of health insurance to surviving spouses of certain employees of the town of Wareham (see Senate, No. 2157) (which originated in the Senate);

Authorizing the board of assessors of Braintree to grant tax abatements to certain military personnel (see House, No. 4240);

Authorizing the town of Shirley to establish the Longley Acres Maintenance Fund (see House, No. 4430, amended); and

Establishing a special fund in the town of Millis (see House, No. 4544);

(Which severally originated in the House);

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

*Orders of the Day.*

Senate bills

Further regulating the educational requirements for operating boilers under a special license (Senate, No. 2488);

Authorizing the city of Melrose to issue pension funding bonds or notes (Senate, No. 2602); and

Converting the Liquor Liability Joint Underwriting Association into the Hospitality Mutual Insurance Company

(Senate, No. 2668);

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

House bills

Establishing a sudden infant death syndrome advisory council (House, No. 1678);

Relative to the board of library trustees of the town of Bridgewater (House, No. 4531);

Authorizing the city of Haverhill to borrow funds for the purpose of financing the purchase of school department text books (House, No. 4761);

Designating a certain interchange in the town of Yarmouth as the Trooper Ellen Engelhardt Interchange (House, No. 4819); and

Designating a certain bridge in the town of Saugus as the Cpl. Scott J. Procopio Saugus American Legion Post 210 Bridge (House, No. 4926) (its title having been changed by the committee on Bills in the Third Reading);

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

Senate bills

Relative to District Court clerks (Senate, No. 1004);

Establishing the Bristol County Commission on the status of women (Senate, No. 1172);

Relative to certain sewer connections in the town of Essex (Senate, No. 1201);

Designating a certain portion of Sandy Beach in the town of Winchester as the Senator Charles E. Shannon, Jr. Memorial Beach (Senate, No. 2475);

Designating certain bridges in the town of Millville as the John Dean Bridges (Senate, No. 2565);

Exempting certain positions in the city of Northampton from the civil service law (Senate, No. 2688); and

Relative to the teaching of American Sign Language (Senate, No. 2698); and

House bills

Relative to plumbing regulations (House, No. 244);

Relative to independent contractors (House, No. 311);

Relative to eminent domain takings (House, No. 1770);

Relative to needlestick injury prevention in public health facilities and settings (House, No. 2056);

Relative to state trademarks (House, No. 3183);

Designating the new Department of Youth Services facility in the town of Westboroas the Zara Cisco Brough Princess White Flower Facility (House, No. 3231);

Permitting the consolidation of certain public hearings (House, No. 3234);

Establishing "Moby Dick" as the official book of the Commonwealth (House, No. 3964, changed);

Relative to the Truesdale Clinic in the city of Fall River (House, No. 3993);

Authorizing the Springfield water and sewer commission to convey a certain parcel of land in the town of Blandford (House, No. 4062);

Authorizing the city of Cambridge to abate fiscal year 2003 real property taxes in the amount of 61,463.24 on 62 Gore Street, Cambridge, which parcel was purchased on August 12, 2002 by a charitable organization (House, No. 4081);

Relative to property tax exemptions for rental properties in the town of Truro restricted as affordable housing (House, No. 4381);

Relative to veterans (House, No. 4752);

Establishing a sick leave bank for Anthony F. Zanette, an employee of the University of Massachusetts Medical School (House, No. 4808);

Establishing a sick leave bank for Matthew Dicicco, an employee of the Department of Corrections (House, No. 4815); and

To establish a sick leave bank for Richard K. Ward III (House, No. 4819);

Severally were read a second time; and they were ordered to a third reading.

The House Bill relative to county highways in the town of Granville (House, No. 1990) was read a second time.

The amendment previously recommended by the committee on Ways and Means,-- that the bill be amended by substitution of a bill with the same title (House, No. 4796),-- was adopted.

The substituted bill then was ordered to a third reading.

The House Bill relative to the licensing of sheet metal workers and sheet metal contractors (House, No. 4231) was read a second time.

The amendment previously recommended by the committee on Ways and Means,-- that the bill be amended by substitution of a bill with the same title (House, No. 4804),-- was adopted.

The substituted bill then was ordered to a third reading.

The House Bill authorizing the Commissioner of Capital Asset Management and Maintenance to lease certain property to the town of Natick (House, No. 4633) was read a second time.

The amendment previously recommended by the committee on Ways and Means,-- that the bill be amended by substitution of a bill with the same title (House, No. 4806),-- was adopted.

The substituted bill then was ordered to a third reading.

The House report of the committee on Public Safety and Homeland Security, ought NOT to pass, on the petition (accompanied by bill, House, No. 2312) of Michael Chizy for legislation to require police officers directing traffic to wear white gloves, was accepted.

*Recesses.*

At ten minutes before twelve o'clock noon, on motion of Ms. Campbell of Methuen (Mr. Donato of Medford being in the Chair), the House recessed until half past twelve o'clock; and at seven minutes after one o'clock P.M. the House was called to order with Mr. Donato in the Chair.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, subject to the call of the Chair; and at five minutes before two o'clock the House was called to order with Mr. Petrolati of Ludlow in the Chair.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments of the House **Bill providing for the investment in and expansion of the life sciences industry in the Commonwealth** (House, No. 4554) (for report, see House, No. 4829) was considered.

Pending the question on acceptance of the report, Mr. Bosley of North Adams asked for a count of the House to ascertain if a quorum was present. The Chair (Mr. Petrolati of Ludlow), having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance.

Therefore a quorum was present.

On the question on acceptance of the report of the committee of conference, the sense of the House was taken by yeas and nays, at the request of Mr. Bosley; and on the roll call 140 members voted in the affirmative and 17 in the negative.

Therefore the report of the committee of conference was accepted. The report then was sent to the Senate for concurrence.

*Recess.*

At a quarter after two o'clock P.M., on motion of Mr. Costello of Newburyport (Mr. Petrolati of Ludlow being in the Chair), the House recessed until a quarter before three o'clock; and at eighteen minutes after three o'clock the House was called to order with Mr. Petrolati in the Chair.

*Emergency Measure.*

The engrossed **Bill providing for the investment in and expansion of the life sciences industry in the Commonwealth** (see House, No. 4829), having been certified by the Clerk to be rightly and truly prepared for final

passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 12 to 0. Sent to the Senate for concurrence.

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

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

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 153 members were recorded as being in attendance.

Therefore a quorum was present.

After debate On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 142 members voted in the affirmative and 15 in the negative.

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

The House Bill financing improvements to the Commonwealth's transportation system (House, No. 4562) was read a second time.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,-- that the bill be amended by substitution of a bill with the same title (House, No. 4609),-- was rejected.

The amendment previously recommended by the committee on Ways and Means,-- that the bill be amended by substitution of a bill with the same title (House, No. 4825),-- was adopted.

The substituted bill then was ordered to a third reading.

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

After remarks on question on passing the bill to be engrossed, Mr. Patrick of Falmouth moved to amend it in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$300,000 be expended for the design and construction of sidewalks in the town of Falmouth from Seacoast Boulevard to Seapit road". The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$200,000 be expended for the design and construction of sidewalks in the town of Falmouth from Moonakis road to the Mashpee town line." The amendment was adopted

Mr. Patrick then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$400,000 be expended for the design and installation of a traffic signal at the



West Barnstable-Osterville and route 28 intersection in the town of Barnstable." The amendment was adopted.

Mr. Rodrigues of Westport then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$10,000,000 shall be expended on the design and construction of a parking garage or parking improvements in the city of Fall River". The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$1,000,000 shall be expended on the expansion, repair and improvement of sanitary facilities that utilizes zero pollution discharge technologies including recycling greywater systems". The amendment was adopted.

Representatives L'Italien of Andover and Finegold of Andover then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$203,000 shall be expended for improvements to the sidewalks on North Main Street in the Town of Andover". The amendment was adopted.

Mr. Finegold and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$400,000 shall be expended for the design and construction of traffic signals at the intersection of River Road and Andover Street in the town of Tewksbury". The amendment was adopted.

Representatives Poirier of North Attleboro and Lepper of Attleboro then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$3,000,000 shall be allocated to the Attleboro Redevelopment Authority for the implementation of transportation and road improvements associated with the construction of an Intermodal facility within the Riverfront District of the Attleboro Downtown Development Plan". The amendment was adopted.

Representatives Torrisi of North Andover and L'Italien of Andover then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$1,200,000 shall be expended for the repaving of route 125 in the town of North Andover". The amendment was adopted.

Mr. Fallon of Malden then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that 2.4 million dollars will be provided to reinforce the street bridges and install or repair sidewalks at said bridges on Florence Street, Mountain Avenue, Clifton Street, and Winter Street in the City of Malden". The amendment was adopted.

Ms. Grant of Beverly then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that not less than \$500,000 be expended for the repaving and refurbishing of municipal parking lots in the city of Beverly". The amendment was adopted.

The same member then moved to amend the bill in section 2A, in item 6033-0817, by striking out the following: "provided further, that \$500,000 shall be expended for the design and construction of barriers along route 128 in the city of Beverly" and inserting in place thereof the following: "provided further, that \$500,000 shall be expended for barriers along route 128 in the city of Beverly". The amendment was rejected.

Mr. Bradley of Hingham then moved to amend the bill in section 2A by adding at end of item 6033-0817 the following: "; provided further, that not less than 150,000 be expended for the repair of the Pemperton Pier Commuter Float in the town of Hull". The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$1,068,000 shall be expended for improvements and reconstruction to Abington Street in the town of Hingham”. The amendment was adopted.

Mr. Bosley of North Adams then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided, further, that not less than \$9,000,000 shall be expended for the resurfacing of route 116 in the town of Savoy”. The amendment was adopted.

Mr. D'Amico of Seekonk then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$500,000 be expended for safety improvements along Rt. 44 near the Palmer River Elementary/Beckwith Middle School Complex in the town of Rehoboth, including the establishment of safe sightlines by re-grading the roadway, installation/extension of sidewalks, and realignment of crosswalks”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$1,500,000 shall be expended for the design and reconstruction of the intersection at RT-114A & Arcade Ave. in Seekonk”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$500,000 shall be expended for a design study of a full cloverleaf at exit 3 off of Interstate 195 at Rt. 118 in Swansea”. The amendment was rejected.

Mr. Honan of Boston then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$1,500,000 be expended for the design and construction of a sound barrier along the Massachusetts Turnpike bordering Lincoln Street in Allston-Brighton”. The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$1,300,000 shall be expended for the reconfiguration project at the intersection of Wellesley Street and Route 30 in Weston”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “provided further, that \$2,500,000 shall be expended for the reconstruction of Route 135 in Wellesley from Weston Road to Natick”. The amendment was rejected.

Ms. Peisch then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “provided further, that \$2,000,000 shall be expended for the Rockland Street Bridge in Wellesley”. The amendment was adopted.

Ms. Peisch of Wellesley then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$3,545,000 shall be expended for the Route 9/Cedar Street Bridge in Wellesley”. The amendment was rejected.

Mr. Donato of Medford being in the Chair,--

Mr. Fallon of Malden then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that 3,000,000 dollars will be expended for streets and sidewalks improvements for State Highway 99 as the same transverse the city of Malden from the town of Saugus to the city of Everett”.

The amendment was adopted.

Representatives Balser of Newton and Harkins of Needham then moved to amend the bill in section 2A, in item 6033-0817, in lines 219 to 222, inclusive, by striking out the following: “; provided further, that \$2,100,000 shall be expended for the reconstruction and discontinuance of a segment of the Highland Avenue corridor from Webster Street to the Newton city line, in lines 227 to 231, inclusive, by striking out the following: “; provided further, that \$6,000,000 shall be expended for the reconstruction and discontinuance of a segment of the Needham street corridor from the route 8 westbound ramps to the Needham town line”, and inserting in place thereof following: “; provided further, that \$17,000,000 shall be expended for the reconstruction and discontinuance of certain state roadways in the municipalities of Newton and Needham, including both the reconstruction after discontinuance of Highland Avenue in Needham from Webster Street to the Newton City Line and after discontinuance, the reconstruction of Winchester Street, and Needham Street in Newton from the Route 9 westbound ramps to the Needham town line, and all areas appurtenant thereto; provided further, that the discontinuance of Highland Avenue shall be east of the Route 128 northbound ramps as well as between Webster Street and Hunting Road/Gould Street; and the discontinuance of Winchester Street and Needham Street shall be south of the Route 9 eastbound ramps; and provided that, the Department shall provide the Town of Needham and the City of Newton the necessary funds from this item to complete their respective portions of such project”. The amendments were adopted.

Mr. Vallee of Franklin then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$300,000 shall be expended for design of Route 109 and Holliston Street and the intersection of Route 109 and Pond Street in the town of Medway”. The amendment adopted.

Mr. Walsh of Boston then moved to amend the bill in section 2A by adding at the end of line item 6033-0817 the following: “; provided further that \$1,000,000 shall be expended for the design and construction of a sound barrier wall along Route 93N in the section of Dorchester in the city of Boston”. The amendment was adopted.

Mr. Fernandes of Milford then moved to amend the bill in section 2A by adding at the end of item 6033-8017 the following: “; provided further, that no more than \$500,000 shall be expended for sound barriers in Milford, including 1,000 linear feet of sound barrier along interstate route 495 near Hillcrest Drive along the southbound right of way, beginning about 0.6 mile south of the Hopkinton town line, 2,200 linear feet of sound barrier near Eben Street along the southbound right of way beginning about 1.4 miles south of the Hopkinton town line and 1,500 linear feet of sound barrier near Bodio, Attilio, and Eugene Circles along the northbound right of way beginning about 1 mile north of the Bellingham town line”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-8017 the following: “; provided further, that no more than \$650,000 shall be expended to reconstruct Route 16 in Milford from the Hopedale town line to Water Street, including the replacement of concrete sidewalks on both sides of the street”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-8017 the following: “; provided further, that no more than \$200,000 shall be expended to reconstruct Lake Street in Hopedale, including 1,350 linear feet of road and 1,600 linear feet of sidewalk”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-8017 the following: “; provided further, that no more than \$370,000 shall be expended to reconstruct Progress Street in Hopedale, including 2,260 linear feet of road and 2,260 linear feet of sidewalk”. The amendment was rejected.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-8017 the following: “; provided further, that no more than \$300,000 shall be expended to reconstruct North Avenue in Mendon and provide signalization at the intersection of North Avenue and Hastings”. The amendment was adopted.

Mr. Moran of Boston moves that the bill be amended by adding at the end thereof the following section:

“SECTION 39. Parcel 2102442005 in Suffolk County shall be designated and known as Robert Q. Crane Park.

The Department of Conservation and Recreation shall erect and maintain a suitable marker bearing the designation in compliance with the standards of the department.”

The amendment was adopted.

Mr. Casey of Winchester then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that \$500,000 shall be expended for the repair and rehabilitation of the bridge across the Aberjona River on Mount Vernon Street in the town of Winchester”. The amendment was adopted.

Mr. Casey and Mr. Natale of Woburn then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that an amount not to exceed \$2,000,000.00 shall be expended for the design and construction of sound barriers in the town of Stoneham along the northbound lane of interstate 93 from the Marble Street overpass extending south to the Fallon Road overpass and adjacent on-ramp, and along the Interstate 93/Route 128 interchange adjacent to Constitution Road”. The amendment was adopted.

Mr. Brownsberger of Belmont then moved to amend the bill in section 2A, in lines 393 to 396, inclusive, by striking out the following: “; provided further, that \$1,600,000 shall be expended for safety improvements and the reconstruction of Trapelo road and Belmont street in the towns of Watertown and Belmont”, and by adding at the end of said item the following: “; provided further that the sum of \$8,100,000 be expended for reconstruction of Trapelo Road and Belmont Street in the towns of Watertown and Belmont and that the sum of \$2,000,000 shall be expended for streetscape and safety amenities in connection therewith”. The amendments were adopted.

Representatives Linsky of Natick and Peisch of Wellesley then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$10,000,000 be expended for the reconstruction of the MBTA commuter rail station in downtown Natick”. The amendment was rejected.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$250,000 shall be expended for a comprehensive study of necessary road improvements of the Route 9 corridor from Southboro to Wellesley”. The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$750,000 be expended for the re-paving of the Pleasant Street Bridge over the Charles River in Natick”. The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$1,000,000 shall be expended for the planning and design of Route 27 from Downtown Natick to the Wayland town line”. The amendment was rejected.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the fol-

lowing: “; provided that not less than \$750,000 be expended for the re-paving of the Boden Lane Bridge over the CSX railroad tracks in Natick”. The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$7,000,000 be expended for the construction of a parking garage in downtown Natick”. The amendment was adopted.

Representatives Linsky of Natick and Ross of Wrentham then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$2,500,000 be expended for the bridge replacement on Pleasant Street over the Charles River in the town of Millis”. The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$1,500,000 be expended for the bridge replacement on Route 115 (Norfolk Road) over the Charles River in the town of Millis”. The amendment was rejected.

Representatives Linsky of Natick and Peisch of Wellesley then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided that not less than \$4,000,000 be expended for the acquisition of the former CSX rail line from downtown Natick north to the Framingham town line and for the construction of a bicycle path on that line”. The amendment was rejected.

Representatives Straus of Mattapoisett and Gifford of Wareham then moved to amend the bill in section 2C by adding at the end of item 6001-0804 the following: “; provided, however, that no less than \$100,000 shall be authorized for the design, siting and initial permitting for a commuter rail station in the town of Wareham”. The amendment was adopted.

Mr. Jones of North Reading then moved to amend the bill in section 2A; by adding at the end of item 6033-0817 the following: “; provided further, that \$600,000 shall be expended for a flood mitigation project on route 62 in the town of Wilmington to be administered by the town of North Reading in conjunction with the town of Wilmington; provided further, that funds shall be expended to install and make functional a dedicated left turn signal in the north bound lane of Route 28 in the town of Reading at the intersection of Route 28 and Franklin Street”. The amendment was adopted.

Mr. Casey of Winchester then moved to amend the bill in section 2C in item 6001-0804 By inserting after the word “Wareham” I.B.A. the following: “; provided further that \$250,000 shall be expended for the design and construction of a pedestrian footbridge adjacent to the Wedgemere Commuter Rail Station in the town of Winchester”. The amendment was adopted.

Mr. Moran of Boston and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$2,000,000 be expended for a feasibility study of constructing multi-modal station in the Guest Street/Market Street area in Brighton and for a River Station in Mountfort area of Brookline/Boston”. The amendment was adopted.

Ms. Peake of Provincetown then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$2,000,000 be expended for the construction of a sidewalk from the Truro Central School to Truro Public Safety Building on Route 6 in the Town of Truro”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$1,900,000 be expended for the design and replacement of the Bridges Street Bridge over Mitchell River in the Town of Chatham”. The amendment was adopted.

Mr. Peake then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$1,250,000 be expended for intersection improvements at the intersection of Route 6A and Route 28 in the Town of Orleans”. The amendment was rejected.

Ms. Peake of Provincetown then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$100,000 be expended for the design and construction of a sidewalk along Race Point Road from the transfer station to Route 6, continuing along Conwell Street to the intersection of Cemetery Road in the Town of Provincetown”. The amendment was adopted.

Mr. O'Flaherty of Chelsea then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$500,000 shall be expended for reconstruction of sidewalks and repairs to Route 16 between Everett Avenue and Webster Avenue in the City of Chelsea”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$1,000,000 shall be expended for repair and reconstruction of parking lots, roadways and sidewalks at the Massachusetts Soldier's Home in Chelsea”. The amendment was adopted.

Mr. O'Flaherty then moved to amend the bill by adding at the end thereof the following section:

“SECTION 40. Notwithstanding any general or special law, rule or regulation to the contrary, two certain adjacent parcels of land located on the northerly side of Medford Street in the Charlestown section of the city of Boston are hereby eliminated as a Designated Port Area under 301 C.M.R. 25 and 310 C.M.R. 9 and any other applicable provision of the code of Massachusetts regulations. The first parcel of approximately 16.7 acres is located at 529 Main Street (known as the Schrafft Center) in the Charlestown section of the city of Boston, has assessor's parcel number 02-01829-000, and is registered under certificate of title number 112731 in the Suffolk county registry of deeds. The second parcel of approximately 8.9 acres is located at 465 Medford Street in the Charlestown section of the city of Boston, has assessor's parcel number 02-01804-000, and is registered under certificate of title number 111502 in the Suffolk county registry of deeds.

Notwithstanding chapter 91 of the General Laws or any other general or special law, rule or regulation to the contrary, no waterways license pursuant to chapter 91 shall be required for the construction, reconstruction, renovation, use or re-use of any building or structure, which is or may be located on the parcels at 529 Main Street or 465 Medford Street in the Charlestown section of the city of Boston.”.

The amendment was rejected:

Mr. O'Flaherty of Chelsea then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$1,500,000 shall be expended for the design and construction of a pedestrian footbridge over Route 16 at Webster Avenue in the City of Chelsea”. The amendment was rejected.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$10,000,000 shall be expended for the reconstruction, redesign and signalization of Rutherford Avenue and Sullivan Square in the Charlestown section of the City of Boston”. The amendment

was adopted.

Mr. Rogers of Norwood and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; and provided further, that \$11,700,000 be expended for the renovation and reconstruction of Route 1A/Main Street in the town of Walpole”. The amendment was adopted.

Mr. Guyer of Dalton then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$500,000 be made available for the extension of the Ashuwillticook Rail Trail extension project from the town of Adams to Crane Avenue in Pittsfield”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$3,000,000 shall be expended for the repair and improvements to the Berkshire Mall Road in the town of Lanesborough”. The amendment was adopted.

Mr. Guyer then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$600,000 be made available for the rehabilitation of the Keystone Arches Bridges in the towns of Middlefield, Becket and Washington”. The amendment was adopted.

Mr. Costello of Newburyport then moved to amend the bill in section 2A, in item 6033-0817, in lines 263 and 264, by striking out the words “the Riverwalk connection to downtown Main street in the town of Amesbury” and inserting in place thereof the following: “enhanced lighting and streetscape improvements around the 1st Lt. Derek Híñes Bridge and Deer Island in the town of Amesbury”. The amendment was adopted. Mr. Lepper of Attleboro then moved to amend the bill in section 2A, in item 6033-0817, in lines 279, 280 and 281, by striking out the following: “; provided further that \$1,000,000 shall be expended for the Phase I streetscape improvement project in downtown Attleboro”, and by adding at the end of item 6001-0803 the following: “; provided further, that \$3,000,000 shall be expended for the Attleboro Intermodal Transportation project”. The amendments were rejected.

The same member then moved to amend the bill by adding at the end of item 6001-0803 the following: “; provided further, that \$3,000,000 shall be expended for the Attleboro Intermodal Transportation project”; The amendment was rejected.

The same member then moved to amend the bill by adding at the end of item 6001-0803 the following: “; provided further, that \$3,000,000 shall be expended for the Attleboro Intermodal Transportation project”; and the amendment was rejected.

Mr. Scibak of South Hadley then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$600,000 shall be expended for resurfacing, sidewalk construction and related work on Brainerd Street in the town of South Hadley”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$225,000 shall be expended for the design and construction of sidewalks and improvements to Route 10 in the city of Easthampton”. The amendment was adopted.

Mr. O'Day of West Boylston then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$1,000,000 shall be expended to repair the West Boylston

Street bridge on Route 12 in Worcester". The amendment was adopted.

Messrs. Speranzo of Pittsfield and Pignatelli of Lenox then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$2,500,000 shall be expended for the runway expansion at the Pittsfield Municipal Airport". The amendment was adopted.

Mr. DeLeo of Winthrop then moved to amend the bill in section 2A, in line 6033-0817, in lines 356 to 359, inclusive, by striking out the following: "provided further, that \$150,000 shall be expended for the installation of a traffic signal at the intersection of Mason street, County street and Chase street in the town of Freetown;" and inserting in place thereof the following: "provided further, that \$500,000 shall be expended for the installation of a traffic signal or roundabout at the intersection of Mason street, County street and Chase street in the town of Freetown; provided further that \$1,000,000 shall be expended for the redesign of the intersection of the route 28 and Washington Street in the city of Somerville; provided further, that \$750,000 shall be expended for emergency repairs to route 129 from the Lynn city line at Humphrey Street to Puritan Road and from Atlantic Avenue to the end thereof; provided further that \$750,000 shall be expended for emergency repairs to the Village Street Bridge to improve traffic safety within the Village Middle School zone and to facilitate traffic flow within coastal Essex county; provided further, that \$4,500,000 shall be expended for the construction of the New Boston Street Bridge in the city of Woburn; provided further, that \$10,000 shall be expended for a Traffic Control Opticom system for route 9 in the town of Westborough; provided further, that \$50,000 shall be expended for the design of traffic control enhancements and road and intersection improvements on Grafton Street and route 20 in the town of Shrewsbury; provided further, \$500,000 shall be expended for the design and construction of road, intersection, and traffic safety improvements on Grafton Street and route 20 in the town of Shrewsbury; provided further, that \$50,000 shall be expended for the design of traffic control enhancements and road and intersection improvements on South Quinsigamond Avenue at its intersection by White City Shopping Mall in the town of Shrewsbury; provided further, that \$300,000 shall be expended for the construction of road and traffic, intersection safety improvements on South Quinsigamond Avenue at its intersection by White City Shopping Mall in the town of Shrewsbury; and in lines 143, 144, and 145, by striking out the following: "provided further, that \$10,000,000 shall be expended for the reconstruction and improvement of route 128 at exit 19 in the town of Beverly" and inserting in place thereof the following: "provided further, that not less than \$10,000,000 shall be expended for the redesign and reconstruction of, and improvements to, exit 19 of route 128 in the city of Beverly, including but not limited to construction of an overpass". The amendments were adopted.

Mr. Hill of Ipswich then moved to amend the bill by adding at the end the following section:

"SECTION 40. Paragraph (n) of section 3 of chapter 811 of the acts of 1985 is hereby amended, in line 8, by striking out the word 'one' and inserting in place thereof the following word:-- two."

The amendment was adopted.

Mr. Pedone of Worcester and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$800,000 be expended for the construction of the Francis R. Carroll Intersection and Plaza in the city of Worcester". The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$8,000,000 be expended for the route 146 interchange Gateway One Project in the city of Worcester". The amendment was adopted.



Mr. Costello of Newburyport then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$400,000 shall be expended to the town of Amesbury for interior build out at the new Merrimack Valley Regional Transportation Authority transportation center”. The amendment was adopted.

Mr. Pedone of Worcester and other members of the House then moved to amend the to amend the bill in section 2A in item 6033-0817 by adding at the end thereof the following: “; provided further, that not less than \$350,000 be expended for infrastructure and road work at the Gateway Park Economic Development Zone in the city of Worcester”. The amendment was adopted.

Mr. Garballey of Arlington then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$300,000 shall be made available for improvements to Downing Square area in Arlington”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$300,000 shall be made available for improvements and enhancements to the Massachusetts Avenue in Arlington”. The amendment was adopted.

Mr. Hill of Ipswich then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$500,000 shall be expended for the reconstruction and repaving of Route 97 in the Town of Boxford”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$1.5 million shall be expended for the replacement of the bridge street culvert located in the Town of Hamilton”. The amendment was rejected.

Mr. Hill then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$750,000 shall be expended for the replacement of the Bridge Street culvert located in the Town of Hamilton”. The amendment was adopted.

Mr. Driscoll of Braintree then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$850,000 shall be expended for safety improvements along Elm Street near the Ross Elementary School in the town of Braintree, including the establishment of safe sightlines by regrading the roadway, installation/extension of sidewalks, and realignment of crosswalks”. The amendment was rejected.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$300,000 shall be expended for the design and construction of sidewalks in the town of Braintree on Grove Street, from Plain Street to Liberty Street”. The amendment was adopted.

Mr. Driscoll then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$1,000,000 shall be expended for the design and construction of a sound barrier wall along Independence Avenue in the town of Braintree”. The amendment was adopted.

Mr. Driscoll of Braintree then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$1,000,000 shall be expended for the design and reconstruction of Route 37 in the Highlands section of the town of Braintree”. The amendment was adopted.

Mr. Petrolati of Ludlow being in the Chair,--

Mr. Donato of Medford then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; providing further that \$5,000,000.00 shall be expended to conduct a traffic study at Wellington Circle”. The amendment was adopted.

Mr. Speliotis of Danvers then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$150,000.00 shall be expended to construct a sound barrier at 37 and 37R Elliott Street in the Town of Danvers”. The amendment was adopted.

Mr. Rodrigues of Westport and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$8,000,000 shall be expended on the application of paint finish for the Bragga Bridge in the city of Fall River”. The amendment was adopted.

Representatives Kujawski of Webster and Callahan of Sutton then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$3.7 million shall be expended for pedestrian, vehicular and rail access and streetscape improvements in downtown Uxbridge”. The amendment was adopted.

Mr. Frost of Auburn and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than 50,000 dollars shall be reimbursed to the Town of Oxford for traffic light design at the intersection of Cudworth Rd. and Route 12”. The amendment was adopted.

Mr. Frost then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than 50,000 dollars shall be expended to the Town of Millbury for storm water runoff drainage repairs and improvements”. The amendment was adopted.

Mr. McCarthy of East Bridgewater then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$1,000,000 shall be expended for street and sidewalk rehabilitation along Washington Street in the town of Abington”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 by inserting at the end thereof the following: “; provided further, that \$1,200,000 shall be expended for street and sidewalk rehabilitation in the historical district surrounding East Bridgewater Town Common”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817, by inserting at the end thereof the following: “; provided further, that \$1,000,000 shall be expended for street and sidewalk rehabilitation in the town of Whitman”. The amendment was adopted.

Mr. Walsh of Boston then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$250,000 shall be expended for repairs on Gallivan Boulevard in the section of Dorchester in the City of Boston”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$750,000 shall be expended for a study and rehab of a new traffic system for

Gallivan Boulevard, Granite Avenue and Adams Street in the section of Dorchester in the city of Boston". The amendment was adopted.

Mr. Walsh of Boston then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that \$700,000 shall be expended for a study on Kosciuszko Circle in the Section of Dorchester in the City of Boston". The amendment was adopted.

Mr. Driscoll of Braintree then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that \$250,000 shall be expended for infrastructure improvements on Washington Street in the town of Braintree". The amendment was adopted.

Mr. Quinn of Dartmouth then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$2,000,000 shall be expended for rehabilitation of the Padanaram Bridge in the town of Dartmouth". The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$1,200,000 shall be expended for the rehabilitation and sidewalk improvements to Slocum Road in the town of Dartmouth". The amendment was adopted.

Messrs. Stanley of Waltham and Koutoujian of Waltham then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$50,000 shall be expended for a comprehensive study of downtown Waltham parking conditions, requirements and recommendations". The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$500,000 shall be expended for the extension of the Wayside Rail Trail in the city of Waltham". The amendment was adopted.

Mr. Stanley of Waltham then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$1,500,000 shall be expended for the design and roadway reconstruction, traffic signal and related improvements to the intersection of Trapelo Road and Forest Street in the city of Waltham". The amendment was adopted.

Mr. Nyman of Hanover then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$3.5 million be expended for the resurfacing and/or reconstruction, including minor drainage improvements of Route 123 in the Town of Norwell". The amendment was adopted.

Ms. Khan of Newton then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$1,000,000 shall be expended for the construction of a Waban Noise Barrier on the east side of I-95 in Newton between Washington Street (Route 16) and the Charles River and in Wellesley between in Charles River and Rosemary Brook". The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that not less than \$1,000,000 shall be expended for the construction of a Auburndale Noise Barrier located in West Newton and is under the jurisdiction of the Mass Turnpike authority". The amendment was adopted.

Mr. Cabral of New Bedford and Mr. Koczera of New Bedford then moved to amend the bill in section 2A by

adding at the end of item 6033-0817 the following: “; provided further, that not less than \$2,000,000 shall be expended for design, construction, and engineering costs of a bike and pedestrian path along the Hurricane Barrier in the city of New Bedford”. The amendment was adopted.

The same members then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$3,000,000 shall be expended for the redesign and construction of route 18 in the city of New Bedford”. The amendment was adopted.

Mr. Cabral then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$200,000 shall be expended for traffic signals and roadway improvements at the intersection of County Street and Cove Street located in the city of New Bedford”. The amendment was adopted.

Mr. Koczera of New Bedford then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that \$1,500,000 shall be expended for Brooklawn Park area for flood mitigation, street drainage, and street and parking reconfiguration in New Bedford”. The amendment was adopted.

Mr. Turkington of Falmouth then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$2,500,000 shall be expended for the design and construction of a 3.5 mile bike path along Cisco Road in the Town of Nantucket”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$650,000 shall be expended on the construction of a roundabout at the intersection of Barnes Road and Edgartown-Vineyard Haven Road in the Town of Oak Bluffs”. The amendment was rejected.

Mr. Turkington then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$460,000 shall be expended on multi-user path safety improvements in the Edgartown section of Edgartown-Vineyard Haven Road in the Town of Edgartown”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$480,000 shall be expended on multi-user path safety improvements on the County Road Bike path in the Town of Oak Bluffs”. The amendment was adopted.

The same member then moved that the bill be amended by adding at the end the following section:

“SECTION 41. provided further that no less than \$2,500,000 shall be provided for erecting a series of Tourist Information Boards listing the Commonwealth's major tourist attractions, as well as local attractions, with directions, at each of the Massachusetts' state borders where the Federal Interstate Highway system enters the Commonwealth, as well as the entrance to the Massachusetts Turnpike at the New York state line.”. The amendment was rejected.

Ms. Walz of Boston then moved to amend the bill in section 20, in line 4, by inserting after the word “Cambridge” the words “and other stakeholders including, but not limited to, state elected officials representing Boston and Cambridge, medical institutions in the Leverett Circle area, and residential community organizations

in Cambridge and in the West End, Beacon Hill, and Back Bay neighborhoods of Boston"; and the amendment was adopted.

Mr. Wagner of Chicopee moves to amend the bill in section 2G, in item 6000-0500, in line 1, by striking out the words "passenger air service" and inserting in place thereof the words "aviation services". The amendment was adopted.

The same member and Mr. Kane of Holyoke then moved to amend the bill in section 2C by adding at the end of item 6001-0801 the following: "; provided, that \$750,000 shall be expended for environmental remediation and structural improvements to the Pioneer Valley Transit Authority multi-modal transportation center in the city of Holyoke". The amendment was adopted.

Mr. Wagner then moved to amend the bill by inserting after section 9 the following three sections:

"SECTION 9A. Section 9 of chapter 161A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by inserting after the word 'assessment', in lines 25 and 26, the following:-- ; and provided further, that the amount credited shall be the most recently audited regional transit authority assessment available on January 1 of each year.

SECTION 9B. Section 9 of chapter 161B of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by adding the following sentence:-- Amounts assessed under this section shall be the most recently audited regional transit authority assessment available on January 1 of each year.

SECTION 9C. Section 9A of said chapter 161B, as so appearing, is hereby amended by adding the following sentence:-- Amounts assessed under this section shall be the most recently audited regional transit authority assessment available on January 1 of each year."

The amendment was adopted.

Mr. Rush of Boston then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$1 million be expended for the beautification, maintenance and upkeep of Washington Street in the West Roxbury section of the city of Boston, including the upgrade and improvements of pedestrian safety features". The amendment was adopted.

The same member then moved that the bill be amended in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$1 million be expended for the maintenance and improvements to Bellevue, Highland and West Roxbury commuter rail stations in the West Roxbury section of the city of Boston". The amendment was adopted.

Mr. Koczerá of New Bedford then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further that \$350,000 shall be expended for a infrastructure and wastewater management study in Acushnet". The amendment was adopted.

Ms. L'Italien of Andover then moved that the bill be amended in section 2A, in item 6033-0817, in line 136, by inserting after the word "expended" the words "for the reimbursement to the Town of Boxford". The amendment was adopted.

Mr. Kulik of Worthington then moved to amend the bill in section 2A, in item 6033-0817, in lines 104, 105 and

106, by striking out the following: "provided, further, that \$850,000 shall be expended for an engineering study for a traffic signal in the town of Williamsburg" and inserting in place thereof the following: "provided, further, that \$850,000 shall be expended for an engineering study, design, and construction for a traffic signal and intersection improvements on Route 9 in the town of Williamsburg". The amendment was adopted.

Mr. Bradley of Hingham then moved to amend the bill in section 2A, in item 6033-0817, in line 96, by inserting after the words "Summer Street" the words "and George Washington Blvd". The amendment was adopted.

Mr. Swan of Springfield then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: "; provided further, that \$5,000,000 shall be expended for a decked garage and air-walks at the Indian Motorcycle parking lot site in Springfield". The amendment was adopted.

Mr. Rodrigues of Westport then moved to amend the bill by adding the following section:

"SECTION 41. Notwithstanding any general or special law to the contrary, Massachusetts Department of Highways ('the department') may hire outside consultants, that have been previously reviewed to determine their capabilities to perform, for review and analysis of applications for access or signal permits where the department determines it appropriate to expedite such review, provided that the applicant for said permit fully funds the cost of an appropriate consultant for the review and analysis of the application. The department must choose consultants who meet the minimum qualifications of either an educational degree in or related to the field at issue, or three (3) or more years of practice in the field at issue or a related field. The fees for the outside consultants shall be borne solely by the permit applicant. Such fees shall be reasonable and reflect the actual cost for the services of the consultants.

The applicant paying the fee is entitled to an administrative appeal to the Commissioner regarding the selected consultant(s) or the fees. Any such appeal is limited by law to claims that the selected consultant has a conflict of interest or does not possess the minimum required qualifications. The required time limits for action upon an application by the department shall be extended by the duration of the administrative appeal. A decision upon said appeal shall be made by the department within thirty (30) days of the filing of the appeal. Such an administrative appeal shall not preclude further judicial review, if otherwise permitted by law.

Notwithstanding any general or special law to the contrary, the department shall deposit all fees for outside consultants into a separate expendable trust fund which shall be designated and known as the Commonwealth of Massachusetts Highway Access Expendable Trust. The Highway Access Expendable Trust, including accrued interest, if any, shall be expended at the direction of the department without further appropriation; provided, however, that such funds are to be expended by the department solely for the purpose of hiring outside consultants to assist the department in its permit application reviews. The fees may not be used to pay for the services of department employees. Any excess amount in the account attributable to a specific project, including any accrued interest, shall be repaid to the applicant or to the applicant's successor in interest upon satisfactory proof of the filing of the final action and decision of the department. No expenditure shall cause the fund to be in deficit at the end of the fiscal year. A final report of said account activities and interest shall be made for each project and provided to the applicant or to the applicant's successor in interest on the applicant's written request.

The department shall revise such regulations as may be necessary to effectuate the purposes of this section."

The amendment was adopted.

Mr. Pignatelli of Lenox then moved to amend the bill in section 2A by adding at the end of item 6033-0817 by adding the following: “; and provided further that \$300,000 be expended for replacing the salt shed in the town of Monterey”. The amendment was adopted.

Mr. Patrick of Falmouth then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$150,000 be expended to provide a plan for the MBTA commuter rail line ending in the village of Buzzards Bay in the town of Bourne. Said study will include a plan for parking and pedestrian walkways provided further that said plan include but not be limited to an evaluation of: the impact of traffic; impact to retail and residential areas; parking requirements and availability of space; pedestrian walkways; rail in flood and velocity zone; land and auxiliary needs”. The amendment was adopted.

Mr. Sullivan of Fall River and other members of the House then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$2,000,000 shall be expended for the replacement of the Elm Street Bridge in the town of Freetown”. The amendment was adopted.

Mr. Naughton of Clinton then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$250,000 be provided for the Executive Office of Transportation and Public Works Rail Unit to conduct a feasibility study for MBTA Commuter Rail Service between Union Station in Worcester and North Station in Boston via the Town of Clinton. This study shall assess the capital and operating costs as well as produce ridership estimates for this proposed commuter rail service. The capital cost estimate shall include costs associated with track, signals, stations, structures, parking, layover facilities and equipment. The integration of this service with existing and proposed passenger and freight services as well as the impacts on service between Worcester and Boston via South Station shall be evaluated. Impacts of the proposed service on development and land use shall be examined. The study should explore and evaluate innovative methods to deliver new commuter rail services faster and more efficiently than traditional design and construction methods”. The amendment was adopted.

Mr. Canessa of New Bedford then moved that the bill be amended in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not less than \$50,000 shall be expended for the renovation on the retaining walls for the Wareham Street Bridge in the Town of Middleboro”; The amendment was adopted.

Ms. Stanley of West Newbury then moved that the bill be amended in section 2A, in item 6033-0817, in line 41, by inserting after the following: “Route 1A” the words “in the town of Newbury”. The amendment was adopted.

Mr. Smith of Everett then moved that the bill be amended in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$100,000 shall be expended for traffic flow improvements to the left turning lane on Rever Beach parkway at its intersection with Spring street in the city of Everett”. The amendment was adopted.

Ms. Polito of Shrewsbury then moved that the bill be amended in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$250,000 shall be expended for the purpose of installing sound barriers along the southerly eastbound side of route 290 in the town of Shrewsbury”. The amendment was adopted.

Ms. Callahan of Sutton then moved that the bill be amended in section 2A by adding at the end of item 6033-0817 the following: “; provided further that not more than \$2,000,000 shall be expended for the Pulaski Boulevard Project in the town of Bellingham”. The amendment was adopted.

Mr. Cabral of New Bedford then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$500,000 shall be expended for road, drainage, and other infrastructure improvements at Hazelwood Park in New Bedford”. The amendment was adopted.

Representative Murphy of Weymouth then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$2,500,000 shall be expended for Columbian Square and connecting roadways (Pleasant Street, Columbian Street {both sides of Route 18} and Union Street) located in the Town of Weymouth for the design and construction relating to traffic improvements, resurfacing and installation of below grade utilities”. The amendment was adopted.

The same member then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$1,000,000 shall be expended for the area of Washington Street, Middle Street and Winter Street which is also considered the Weymouth Triangle, for improvements that are needed for the widening and paving of the South side of Route 53 (Washington Street) and the West side of Middle Street, installation of below grade utilities and the replacement of sidewalks on Washington, Middle and Winter Street”. The amendment was adopted.

Mr. Murphy of Weymouth then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that not less than \$5,000,000 shall be expended for the resurface a 1.5 mile section of Route 3A, from the Fore River Bridge to Green Street located in the Town of Weymouth for sidewalk repair or replacement, provide wheel chair ramps where needed, the placement of utility lines below grade and finally the planting of trees and landscape along the roadway”. The amendment was adopted.

Representatives Speliotis of Danvers and Grant of Beverly then moved to amend the bill in section 2A by adding at the end of item 6033-0817 the following: “; provided further, that \$25,000,000.00 shall be expended to reconstruct the ramps on Route 128 at the intersections of Route 62 and High Street in the Town of Danvers”. The amendment was rejected.

Mr. Moran of Boston then moved to amend the bill by adding at the end thereof the following section:

“SECTION 42. Notwithstanding any general or special law, regulation or executive order to the contrary, no expenditure of public funds for the purpose of designing or constructing all or part of the ‘Urban Ring project’, so-called, shall be authorized unless the joint committee on transportation, the house and senate committees on ways and means, the representative to the General Court and the senator to the General Court within whose legislative district such project would occur receives notice 90 days prior to said expenditure. Said notification shall include, but not be limited to, a full accounting of all proposed construction, demolition or alteration of any structures or roadways, alteration of any natural features and any proposed takings of private property. Said department shall respond to any requests from said committees or members of the General Court within 10 days of receiving a request and shall provide any documents, figures or plans requested unless the secretary determines in writing that distribution of requested materials would constitute a threat to public safety. Such determination shall be transmitted to the joint committee on transportation, the house and senate committees on ways and means, the representative to the General Court and the senator to the General Court within those legislative district such project would occur within 10 days of receipt of a request.”.

The amendment was adopted.

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



"SECTION. 43 No expenditures shall be authorized on any transportation project expansion on Agganis Way and Babcock Street in the city of Boston."

The amendment was rejected.

Messrs. Walsh of Lynn and Fennell of Lynn then moved to amend the bill in section 2C by in item 6001-0804 B.I.A. the word "Winchester" I.B.A. the following; provided further, that not less than \$25,000,000 shall be expended for the Blue Line extension to Lynn"; and in said item by striking out the figures "90,000,000" and inserting in place thereof the figures "115,000,000". The amendments were adopted.

Representatives Walsh of Boston and Wolf of Cambridge then moved to amend the bill by striking out section 16 (as printed); and the amendment was rejected.

Mr. Mariano of Quincy then moved to amend the bill by adding at the end thereof a new section (printed as section 43 in House document numbered 4846) relative to the acquisition and development of the former Naval Air Station South Weymouth. The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed; the sense of the House was taken by yeas and nays, at the request of Mr. Wagner of Chicopee; and on the roll call (Mr. Donato of Medford being in the Chair) 154 members voted in the affirmative and 0 in the negative.

Therefore the bill (House, No. 4846, printed as amended) was passed to be engrossed. Sent to the Senate for concurrence.

*Emergency Measure.*

The engrossed Bill converting the Liquor Liability Joint Underwriting Association into the Hospitality Mutual Insurance Company (see Senate, No. 2668), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 14 to 0. Sent to the Senate for concurrence.

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

*Order.*

On motion of Mr. DiMasi of Boston,--

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

Accordingly, without further consideration of the remaining matter in the Orders of the Day, at five minutes before nine o'clock P.M., on motion of Mr. Peterson of Grafton (Mr. Donato of Medford being in the Chair), the House adjourned, to meet tomorrow at eleven o'clock A.M., in an Informal Session.

MA H.R. Jour., 6/11/2008

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