

Massachusetts Marine Trades
Association
Jamy Buchanan Madeja, Esq.
Buchanan & Associates
33 Mount Vernon Street
Boston, MA 02108
617-227-8410 –
jmadeja@buchananassociates.com

March 25, 2014

House Bills

HB1 -Governor - An Act making appropriations for FY2014

Sponsor: Governor
Cosponsors: No Cosponsors
Summary: The Governor's proposed budget for the FY 2014 fiscal year features \$32,272,894,287 in direct appropriations, \$484,181,928 in agency chargebacks, and \$553,668,595 in retained revenue, for a total of \$33,310,744,810 in direct spending. An additional \$2,252,874,057 in federal grants and \$1,998,429,771 in consolidated transfers brings the total appropriations up to \$37,562,048,638. Finally, \$10,626,744,331 of non-appropriated (or "off budget") trust spending, increases the total for fiscal year expenditures to \$48,188,792,969. The Governor also proposes substantial tax changes to support "critical investments," by raising the income tax rate to a uniform 6.25%; doubling the personal income exemption amounts; repealing numerous specific personal income tax expenditures; lowering the sales/use tax rate to 4.5%; and extending the sales tax to computer and data processing services and custom software; indexing the gas tax; Taxing security and utility corporations like other business corporations; repealing the FAS 109 deduction; capping the film tax credit at \$40 million per fiscal year; repealing the exemption of candy and soda from the sales tax; and increasing the cigarette excise by \$1 to \$3.51 per pack. The Governor also proposes to establish a "Commonwealth Public Infrastructure Fund" to expend sales tax revenues exclusively for financing public infrastructure.
Status: House Committee on Ways and Means (HWM)

HB55 -Rep. Dempsey, Brian (D) - An Act making appropriations for the fiscal year 2013 to provide for supplementing certain existing appropriations and for certain other activities and projects

Sponsor: Rep. Dempsey, Brian (D)
Cosponsors: No Cosponsors
Summary: Adds \$145,146,334 in new spending for FY 2013, including three new reserve funds, and a new COLA increase for the Bristol Sheriff's. Increases include \$39 million for emergency assistance family shelter care; \$30 million to investigate the state drug lab scandal brought on by chemist Annie Dookhan; \$18 million in CPCS private counsel compensation; and a \$30 million Hurricane Sandy Reserve. (Subsequently enacted as Chapter 3.)
Status: Passed in the House (PASS/H)

HB315 -Rep. Ferrante, Ann-Margaret (D) - An Act to strategically plan for the commercial fishing industry

Sponsor: Rep. Ferrante, Ann-Margaret (D)
Cosponsors: Rep. Cabral, Antonio (D); Rep. Koczera, Robert (D); Rep. Markey, Christopher (D); Rep. Nyman, Rhonda (D); Rep. Peake, Sarah (D); Rep. Straus, William (D)
Summary: Orders a strategic report from the Secretary of Housing and Economic Development along with the Secretary of Energy and Environmental Affairs on the status of the commercial fishing and

shellfish industry in the Commonwealth; the report should be accompanied by recommendations to maintain and revitalize the industry.

Status: Reported favorably by Joint Committee (REP/J)

HB323 -Rep. Sciortino, Carl (D) - An Act relative to transparency of economic development spending

Sponsor: Rep. Sciortino, Carl (D)

Cosponsors: Rep. Toomey, Timothy (D)

Summary: Enacts a short GL c.30C relative to transparency of economic development spending. The chapter defines a "development subsidy" as any expenditure of public funds with a value of at least \$25,000 for the purpose of stimulating economic development; requires the establishment of a unified economic development budget, which the DOR must submit to the Legislature no later than 3 months after the end of a fiscal year; requires each municipality or "property-taxing entity" to submit an annual report to DOR regarding any real property in the entity's jurisdiction that has received a development subsidy of at least \$5,000; requires that collected information be included as part of the searchable website administered by Administration and Finance; authorizes the suspension of payments to any municipality of a development subsidy until the required reports are filed. Identical to HB 324 and SB 174.

Status: Joint Committee on Economic Development and Emerging Technologies (JEC)

HB653 -Rep. Ayers, Bruce (D) - Resolve to establish a special commission to perform an investigation and providing for a study relative to the long term management and maintenance of the Boston Harbor Long and Moon Islands

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: Rep. Collins, Nicholas (D)

Refiles: HB2744 (2011-2012)

Summary: Establishes and regulates a special commission to study providing long term management and maintenance of Moon Island and for determining and publicizing future development of Long Island.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB654 -Rep. Ayers, Bruce (D) - An Act establishing a revolving fund to supplement the funding of waterway projects and coastal protection initiatives

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: No Cosponsors

Refiles: HB217 (2011-2012)

Summary: Establishes and regulates use of the coastal protection and harbor maintenance revolving fund; authorizes the Department of Environmental Protection to use said fund to provide financial assistance to local governmental units to finance costs of coastal protection and harbor maintenance projects, as defined.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB655 -Rep. Ayers, Bruce (D) - An Act prohibiting the leasing of certain real property known as outer Brewster Island in Boston Harbor

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: No Cosponsors

Refiles: HB215 (2011-2012)

Summary: Instructs the director of the Division of Waterways to dredge the natural channel between the Squantum Yacht Club, the Wollaston Yacht Club and Quincy Bay.

Status: House Committee on Ways and Means (HWM)

HB656 -Rep. Ayers, Bruce (D) - An Act relative to the Division of Waterways to dredge Quincy Bay

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: Sen. Keenan, John (D)

Refiles: HB216 (2011-2012)

Summary: Instructs the director of the Division of Waterways to dredge the natural channel between the Squantum Yacht Club, the Wollaston Yacht Club and Quincy Bay.

Status: Reported favorably as amended by Joint Committee (REPA/J)

HB657 -Rep. Balsler, Ruth (D) - An Act to protect the natural resources of the Commonwealth

Sponsor: Rep. Balsler, Ruth (D)

Cosponsors: Rep. Canavan, Christine (D); Rep. Cariddi, Gailanne (D); Rep. Conroy, Thomas (D); Rep. Dykema, Carolyn (D); Rep. Garry, Colleen (D); Rep. Khan, Kay (D); Rep. Kocot, Peter (D); Rep. Lewis, Jason (D); Rep. Peisch, Alice (D); Rep. Provost, Denise (D); Rep. Sannicandro, Tom (D); Rep. Scaccia, Angelo (D); Former Rep. Walz, Martha (D) ; Former Rep. Winslow, Daniel (R) ; Sen. Eldridge, James (D); Sen. Jehlen, Patricia (D); Sen. Tarr, Bruce (R); Rep. Heroux, Paul (D); Rep. Keefe, Mary (D); Rep. Rogers, David (D)

Refiles: HB1124 (2011-2012)

Summary: Amends the GLs by adding a c. 132C to require that a municipality obtain a 2/3rds vote from its Town Meeting Members or its City Council in support of any sale, transfer, lease or change in the control of use of any land or easements under the control of the municipality and taken or acquired for natural resource protection purposes; mandates that any party proposing a change in use or disposition of land or easements taken or acquired for natural resource protection purposes (1) notify the Secretary of Energy and Environmental Affairs of the intention to file a bill in the Legislature to authorize a change in use or disposition of such property, together with certain required information and documentation, (2) provide or pay for replacement land, in addition to providing or paying any other mitigation or consideration deemed appropriate by the Legislature, and (3) submit a report to the Secretary, upon a project's completion, including a description of any replacement land conveyed, consideration paid or other consideration provided; and provides that the Secretary may grant waivers from these requirements in the case of a de minimus conversion.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB659 -Rep. Beaton, Matthew (R) - An Act protecting the legal harvest of striped bass

Sponsor: Rep. Beaton, Matthew (R)

Cosponsors: Rep. Ferguson, Kimberly (R)

Summary: Resolve directing the Massachusetts Marine Fisheries Commission, working with the Massachusetts Director of Marine Fisheries, to adopt the recommendations made by the Interstate Watershed Task Force and the Atlantic State Marine Fisheries Law Enforcement Commission to implement a striped bass commercial tagging program at the point of harvest.

Status: Attached to favorable report by Joint Committee

HB660 -Rep. Beaton, Matthew (R) - An Act relative to the conservation of striped bass

Sponsor: Rep. Beaton, Matthew (R)

Cosponsors: Rep. Ferguson, Kimberly (R)

Summary: Amends GL 130:100A to restrict commercial fishing and sale of wild striped bass to those holding commercial striped bass licenses on 12/31/12 and who have averaged an annual catch and sale of more than 1000 pounds during the preceding 5 years; after 1/1/25, no new commercial licenses may be granted nor existing commercial licenses be transferred or sold; requires that all commercial fishermen annually report their catch following the close of the commercial striped bass season or risk loss of license; requires that all aquaculture raised striped bass for sale bear the tag of the grower or distributor of the fish; and establishes substantial fines or up to 60 days in the house of correction for fish taken or possessed in violation of this act.

Status: Reported favorably as amended by Joint Committee (REPA/J)

HB663 -Rep. Cabral, Antonio (D) - An Act to establish the Department of Marine Fisheries and Resources

Sponsor: Rep. Cabral, Antonio (D)

Cosponsors: Rep. Ferrante, Ann-Margaret (D); Sen. Tarr, Bruce (R)

Summary: This lengthy bill adds a new Chapter 25D (Department of Marine Fisheries and Resources) to the General Laws. The Department would be located in Energy and Environmental Affairs and would authorized to regulate issues specifically related to marine fisheries, including in what

seasons fishing may take place, regulating catch limits and licenses for marine fishing and the taking of various other kind of ocean animals, and by establishing the penalties for violations of rules and regulations promulgated by this new Department.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB664 -Rep. Calter, Thomas (D) - An Act relative to boater safety to be known as the David Hanson Act

Sponsor: Rep. Calter, Thomas (D)

Cosponsors: Rep. Atkins, Cory (D); Rep. Cantwell, James (D); Former Rep. Fresolo, John (D) ; Sen. Chandler, Harriette (D); Rep. Cutler, Josh (D)

Refiles: HB4206 (2011-2012)

Summary: Adds several new sections to G.L. 90B, the statute governing Motorboats, Other Vessels and Recreational Vehicles, to be called the David Hanson Act; directs the director of law enforcement in the division of fisheries, wildlife and environmental law enforcement to establish and implement a boating education program, boating education course, examination, certificate and examination fee; prohibits persons born on or after January 1, 1988 from operating a motorboat unless such person obtains a boating certificate; phases in said requirement for persons born before that date; establishes penalties for violations of these provisions; establishes certain exemptions to these provisions; requires persons engaged in the business of renting or leasing motorboats to provide a safe motorboat operation checklist to operators.

Status: Reported favorably as amended by Joint Committee (REPA/J)

HB668 -Rep. Cantwell, James (D) - An Act Promoting economic development by strengthening the local seafood industry

Sponsor: Rep. Cantwell, James (D)

Cosponsors: Rep. Gobi, Anne (D); Sen. Tarr, Bruce (R)

Summary: Regulates the catching, and processing of lobster caught in Massachusetts.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB669 -Rep. Cantwell, James (D) - An Act financing a dam and seawall infrastructure program

Sponsor: Rep. Cantwell, James (D)

Cosponsors: Rep. Bradley, Garrett (D); Rep. Calter, Thomas (D)

Summary: Adds a new s2JJJJ to GL 29 (State Finance) that appropriates \$500 million for a new grant or loan program to repair coastal and inland waterway infrastructures, to assist local government bodies, charitable organizations and private dam owners in making these repairs; 50% of the total funds are to be allotted to projects related to dams and 50% to other means of flood or wave control like seawalls, jetties, revetments, retaining walls and levies; the State Treasurer is authorized to sell \$500 million in bonds to finance these projects. (Note, appropriations should not be enacted into the General Laws, but are normally enacted through a budget vehicle and assigned an 8-digit account number.)

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB670 -Rep. Cantwell, James (D) - An Act re-establishing the harbors and inland waters maintenance fund

Sponsor: Rep. Cantwell, James (D)

Cosponsors: No Cosponsors

Refiles: HB2745 (2011-2012)

Summary: Amends GL 91 by inserting a new section 10E; establishes the Harbors and Inland Waters Maintenance Fund; articulates the revenue source for the fund, as well as duties to be carried out under the fund.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB671 -Rep. Cantwell, James (D) - An Act relative to community preservation funds for seawall repairs

Sponsor: Rep. Cantwell, James (D)

Cosponsors: No Cosponsors
Refiles: HB220 (2011-2012)
Summary: Amends GL 44B:6 by directing that, in coastal communities that adopt the community preservation act, at least ten percent of the annual revenue in the community preservation be set aside to fund for the preservation of public infrastructure through beach nourishment, dune restoration, and seawall maintenance and reconstruction.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB672 -Rep. Cantwell, James (D) - An Act relative to the financing of dredging projects

Sponsor: Rep. Cantwell, James (D)
Cosponsors: No Cosponsors
Refiles: HB2746 (2011-2012)
Summary: Adds new section 11B to G.L. 91, the statute governing Waterways, to establish the Waterways Trust and to authorize the commissioner of the department of conservation and recreation to receive bequests, restitutions and gifts to the trust for the purpose of improvements to harbors and inland waterways; amends G.L. 91:11A to authorize the department of environmental protection to participate in funding municipal and local authorities up to 75% for dredging projects and up to 50% for all other work authorized under this section; replaces references to the Soil Conservation Service of USDA in several places in the chapter with United States Army Corps of Engineers and other federal agencies.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB673 -Rep. Cantwell, James (D) - An Act establishing a regional dredge grants program

Sponsor: Rep. Cantwell, James (D)
Cosponsors: No Cosponsors
Refiles: HB221 (2011-2012)
Summary: Adds new section 11B to G. L. 91, the statute governing Waterways, establishing a program within the office of waterways to administer grants to regional entities for the purpose of purchasing dredges and associated capital equipment; defines such regional entities; authorizes up to two million dollars annually for the program; requires the department of environmental protection to file annual reports on said program to the legislature.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB675 -Rep. Chan, Tackey (D) - An Act relative to DCR yacht club fee reflecting water way access

Sponsor: Rep. Chan, Tackey (D)
Cosponsors: Rep. Ayers, Bruce (D)
Summary: Amends the provisions of SL 2010:65 which authorized DCAM to enter into 30 year leases with certain yacht clubs, by requiring the survey that DCAM must ordinarily undertake to include navigable channels and berthing/mooring areas on the water sheet; it also requires DCAM to manage, repair and maintain the land under water for the term of the lease for recreational boating waterside access and the protection of navigable waterways and channels.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB676 -Rep. Chan, Tackey (D) - An Act expanding pleasure boat access to Boston Harbor

Sponsor: Rep. Chan, Tackey (D)
Cosponsors: Rep. Ayers, Bruce (D)
Refiles: HB3118 (2011-2012)
Summary: Authorizes and directs all state and municipal public agencies and authorities owning or controlling property within the city of Boston to identify and establish mooring and docking facilities for pleasure boats within said city; authorizes the charging reasonable fees to defray the cost of creation and maintenance of any mooring or docking facility made available to the general public.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB677 -Rep. Chan, Tackey (D) - An Act authorizing and directing the director of the Division

of Waterways to dredge the harbor area surrounding Houghs Neck in the City of Quincy

Sponsor: Rep. Chan, Tackey (D)

Cosponsors: No Cosponsors

Refiles: HB2748 (2011-2012)

Summary: Instructs the director of the Division of Waterways to dredge the harbor area surrounding Houghs Neck in the City of Quincy at a cost of no more than \$800,000.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB679 -Rep. Coakley-Rivera, Cheryl (D) - An Act relative to the reduction of particulate emissions from diesel engines

Sponsor: Rep. Coakley-Rivera, Cheryl (D)

Cosponsors: No Cosponsors

Summary: Minimizes the public health risks from exposure to diesel particulate emissions as expeditiously as practicable; sets forth cost effective measures to substantially reduce diesel particulate emissions; requires existing diesel vehicles, described herein, to be retrofitted with the same technology that limits diesel pollution from new diesel engines; sets forth further requirements of those diesel engines, described herein; encompasses the use of the diesel emissions reduction funding program fund.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB700 -Rep. Ferrante, Ann-Margaret (D) - An Act relative to the scientific strategic planning of the Commonwealth's fishery

Sponsor: Rep. Ferrante, Ann-Margaret (D)

Cosponsors: Rep. Cabral, Antonio (D); Rep. Koczera, Robert (D); Rep. Markey, Christopher (D); Rep. Nyman, Rhonda (D); Rep. Peake, Sarah (D); Rep. Straus, William (D)

Summary: Directs the Secretary of Energy and Environmental Affairs to publish an annual report on the research being conducted at the commonwealths fisheries and shellfisheries.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB702 -Rep. Frost, Paul (R) - An Act expanding the powers of the Director of Fisheries and Wildlife

Sponsor: Rep. Frost, Paul (R)

Cosponsors: Rep. Mannal, Brian (D)

Refiles: HB3119 (2011-2012)

Summary: Amends G.L. 131:4 by expanding the authority of the director of the division of fisheries and wildlife to exempt certain persons from licensing requirements in order to control or manage wildlife.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB705 -Rep. Garballey, Sean (D) - An Act protecting the Commonwealth's lakes and ponds

Sponsor: Rep. Garballey, Sean (D)

Cosponsors: Rep. Ashe, Brian (D); Rep. Dykema, Carolyn (D); Rep. Lewis, Jason (D); Rep. Linsky, David (D)

Refiles: HB225 (2011-2012)

Summary: Adds new s.21 to GL 21A, the statute governing the Department of Environmental Management, establishing a grant program to lake associations and towns to administer an invasive aquatic plant prevention and mitigation prevention program; funds the program from the Invasive Aquatic Plant Management Fund established by this Act; directs that \$5 of each motorboat certificate fee and a \$10 fee on each out-of state motorboat entering the state's lake and ponds be deposited into said Fund; directs the department to establish a management plan to implement said grant program; specifies several components of said management plan.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB714 -Rep. Gobi, Anne (D) - An Act expanding the powers of the director of Fisheries and Wildlife

Sponsor: Rep. Gobi, Anne (D)

Cosponsors: Rep. Beaton, Matthew (R); Rep. DiNatale, Stephen (D); Rep. Ferguson, Kimberly (R); Sen.

Humason, Donald (R); Rep. Keenan, John (D); Rep. Scibak, John (D); Rep. Smola, Todd (R); Sen. Pacheco, Marc (D)
Refiles: HB3946 (2011-2012)
Summary: Amends G. L. 131:5, the statute governing Open Seasons, to authorize the hunting of deer by bow and arrow on any date, including Sundays and holidays, that the director of fisheries and wildlife declares an open season for such hunting; requires such an open season occurring within the last 3 months of the year to be for a period of not less than 7 consecutive days.
Status: House Committee on Ways and Means (HWM)

HB718 -Rep. Gobi, Anne (D) - An Act relative to the Charles River Water Quality Commission

Sponsor: Rep. Gobi, Anne (D)
Cosponsors: Rep. DiNatale, Stephen (D); Rep. Provost, Denise (D); Rep. Smola, Todd (R); Former Rep. Walz, Martha (D) ; Sen. Pacheco, Marc (D)
Refiles: HB4490 (2011-2012)
Summary: Authorizes the continued operation of the Charles River Water Quality Commission established by Chapter 498 of the Acts of 2008; requires the Commission to report the results of its investigation and study, and its recommendations, to the General Court by November 1, 2014.
Status: Ordered to a third reading in the House (ORD3R/H)

HB732 -Rep. Kafka, Louis (D) - An Act establishing a Department of Environmental Protection Appeals Board

Sponsor: Rep. Kafka, Louis (D)
Cosponsors: Rep. DiNatale, Stephen (D); Rep. Garry, Colleen (D); Rep. McMurtry, Paul (D); Rep. Rogers, John (D); Sen. Moore, Michael (D); Sen. Timilty, James (D)
Refiles: HB4018 (2011-2012)
Summary: Adds a new section to GL 21A creating the Department of Environmental Protection Appeals Board to be chaired by the EOEEA Secretary or his designee and sets forth the qualifications and terms of the Board's members; replaces the current statutory process for appealing a determination by the Board of Registration of Hazardous Waste Site Cleanup Professionals with a process for appealing to the Board created by this Act.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB737 -Rep. Kocot, Peter (D) - An Act relative to conserving bluefin tuna

Sponsor: Rep. Kocot, Peter (D)
Cosponsors: No Cosponsors
Refiles: HB2016 (2011-2012)
Summary: Establishes a 12 member special commission to study the existing bluefin tuna fishery in Massachusetts and to promote the continued viability of the species; articulates the qualifications of the member of the Commission; requires reporting to the legislature.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB738 -Rep. Kocot, Peter (D) - An Act relative to inshore resource depletion

Sponsor: Rep. Kocot, Peter (D)
Cosponsors: No Cosponsors
Refiles: HB2015 (2011-2012)
Summary: Adds new section 95A to G.L. 130, the statute governing Marine Fish and Fisheries, to require the director of the division of marine fisheries to promulgate regulations prohibiting the use of all midwater trawl and pair trawling for herring; authorizes the director to institute a system of fines for violations of this provision; further requires the director to establish herring fishery regulations that are compatible with regional efforts to rebuild groundfish resources; specifies several requirements said regulations should include.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB740 -Rep. Kocot, Peter (D) - An Act relative to studying tidal turbines

Sponsor: Rep. Kocot, Peter (D)
Cosponsors: No Cosponsors
Refiles: HB2013 (2011-2012)

Summary: Adds new section 2JJJ to G.L. 29 establishing the Oceanographic Research and Tidal Power Development Fund, money from which is to be expended by the division of coastal zone management for the purpose of fostering oceanographic research in the commonwealth, including the feasibility of using tidal power turbines to generate electrical power from wave action; directs said division to establish a grant program to expend such funds; authorizes the state treasurer to issue up to \$2,000,000 in bonds for these purposes.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB743 -Rep. Kocot, Peter (D) - An Act to protect the right whale

Sponsor: Rep. Kocot, Peter (D)
Cosponsors: Rep. Lewis, Jason (D); Rep. Story, Ellen (D)
Refiles: HB2009 (2011-2012)
Summary: Adds new section 2GGGG to G.L. 29 establishing the Right Whale Research and Protection Fund, money from which is to be expended by the division of coastal zone management to fund efforts to diminish fatalities of right whales in Massachusetts coastal waters; directs said division to establish a grant program to implement this purpose; specifies several priorities of the program; authorizes the state treasurer to issue up to \$2 million in bonds for these purposes.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB745 -Rep. Koczera, Robert (D) - An Act to reinstate the clean environment fund

Sponsor: Rep. Koczera, Robert (D)
Cosponsors: Rep. Benson, Jennifer (D); Former Rep. Walz, Martha (D) ; Sen. Barrett, Michael (D)
Refiles: HB233 (2011-2012)
Summary: Inserts GL 94:323G to establish the Clean Environment Fund for programs and projects to manage solid waste and for environmental protection; requires that, with funding from the Clean Environment Fund, (1) the Commissioner of DCR establish a program to increase recycling opportunities for all property under DCR control, (2) the Secretary of the Dept. of Environmental Protection establish a program to increase recycling opportunities at all publicly owned facilities, and (3) the Commissioner of State Parks and Recreation develop and incorporate recycling opportunities into all reservation designs or redesigns and establish a program to increase recycling opportunities in all of the reservations under State Parks and Recreation control.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB761 -Rep. Mannel, Brian (D) - An Act to restore local control in coastal communities of the Commonwealth

Sponsor: Rep. Mannel, Brian (D)
Cosponsors: No Cosponsors
Refiles: HB1121 (2011-2012)
Summary: Changes existing law to allow any coastal city or town to designate an adjoining area of coastal waters as a wind development exclusion zone, by action of the municipalitys executive and legislative bodies.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB762 -Rep. Mannel, Brian (D) - An Act to restore the Massachusetts ocean sanctuaries

Sponsor: Rep. Mannel, Brian (D)
Cosponsors: No Cosponsors
Refiles: HB1122 (2011-2012)
Summary: Repeals Chapter 114 of the Acts of 2008, "An Act Establishing a Waterways Dredging and Maintenance Program Receipts Reserved Capital Improvement Fund in the Town of Dennis."
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB773 -Rep. Orrall, Keiko (R) - An Act relative to fishing lures

Sponsor: Rep. Orrall, Keiko (R)
Cosponsors: Rep. O'Connell, Shaunna (R)
Summary: Allows for the use of five hooks on fishing lures in inland water.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB775 -Rep. Peake, Sarah (D) - An Act relative to mooring fee requirements

Sponsor: Rep. Peake, Sarah (D)
Cosponsors: Rep. Hunt, Randy (R); Rep. Madden, Timothy (D); Rep. Schmid, Paul (D); Sen. Wolf, Daniel (D)
Refiles: HB246 (2011-2012)
Summary: Amends GL 91:10A to authorize municipalities to discriminate on the basis of residence when imposing or setting mooring fees for the temporary mooring of floats or rafts within the territorial jurisdiction of the municipality.
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB776 (Chapter 194 of 2013) -Rep. Peake, Sarah (D) - An Act relative to shellfish reporting

Sponsor: Rep. Peake, Sarah (D)
Cosponsors: Rep. Atkins, Cory (D); Rep. Ferrante, Ann-Margaret (D); Rep. Khan, Kay (D); Rep. Kocot, Peter (D); Rep. Madden, Timothy (D); Sen. Tarr, Bruce (R); Sen. Wolf, Daniel (D); Rep. Mannal, Brian (D)
Refiles: SB1973 (2011-2012)
Summary: Amends G.L. 130:65, the statute governing Annual Reports of Shellfish Planted, Produced and Marketed, to change the deadline for the annual submission of such reports from December 31st to February 28th.
Status: Signed by the Governor (SIGNED)

HB785 -Rep. Provost, Denise (D) - An Act establishing a Mystic River water quality commission

Sponsor: Rep. Provost, Denise (D)
Cosponsors: Rep. Basile, Carlo (D); Rep. Garballey, Sean (D); Rep. Hecht, Jonathan (D); Rep. Lewis, Jason (D); Rep. Sciortino, Carl (D); Rep. Toomey, Timothy (D); Former Rep. O'Flaherty, Eugene (D) ; Sen. Brownsberger, William (D); Sen. DiDomenico, Sal (D); Sen. Jehlen, Patricia (D); Rep. Rogers, David (D)
Refiles: HB1156 (2011-2012)
Summary: Establishes and regulates the membership and operation of the Mystic River Water Quality Commission; charges said commission with making an investigation and study relative to improving the conditions necessary to, and determining the feasibility of, bringing the water quality in the Mystic River basin to a level safe for fishing, boating and swimming.
Status: House Committee on Ways and Means (HWM)

HB795 -Rep. Scaccia, Angelo (D) - An Act providing for the maintenance of the Neponset River for the health and safety of the public

Sponsor: Rep. Scaccia, Angelo (D)
Cosponsors: No Cosponsors
Refiles: HB3275 (2011-2012)
Summary: Requires the Department of Conservation and Recreation to perform regular review and maintenance of the Neponset River; directs that two park rangers be assigned and equipped from May through October to remove any fallen trees or shrubs that inhibit the safe passage along the River by the general public. (No statutory citations included.)
Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB804 -Rep. Smizik, Frank (D) - An Act preserving public trust rights in land affected by ocean erosion

Sponsor: Rep. Smizik, Frank (D)
Cosponsors: No Cosponsors
Refiles: HB254 (2011-2012)
Summary: Amends GL 91:25, the statute governing the definition of great ponds, to require that any portion of a barrier beach moved by natural processes onto public land, including the former bottom of a great pond, shall remain in public ownership.
Status: Senate Committee on Ethics and Rules (SER)

HB811 -Rep. Stanley, Thomas (D) - An Act relative to the conservation of Atlantic Striped Bass

Sponsor: Rep. Stanley, Thomas (D)

Cosponsors: No Cosponsors

Refiles: HB260 (2011-2012)

Summary: Amends GL 130:100A relative to striped bass regulations for marine fish and fisheries by prohibiting new commercial fishermen from fishing for striped bass while grandfathering in certain existing fishermen. It does this by first prohibiting the commercial harvesting and sale of wild striped bass except for those owning commercial licenses on December 31, 2012 who can historically demonstrate over the preceding 5 years that they have averaged an annual landing and sale of more than 1000 pounds of striped bass, and second, by requiring that all aquaculture raised striped bass bear the tag of the grower or distributor of the fish; violations are to be punished by a fine of not less than \$200 for each fish taken or possessed for the first violation, \$500 for second violations and \$1000 for subsequent violations; adds new provisions that do allow commercial harvesting and sale of wild striped bass for individuals. Recreational angling is still permitted' certain hardship provisions are also enacted for somewhat smaller commercial fishermen wishing to be grandfathered in.

Status: Attached to favorable report by Joint Committee

HB812 -Rep. Stanley, Thomas (D) - An Act protecting the legal harvest of striped bass

Sponsor: Rep. Stanley, Thomas (D)

Cosponsors: No Cosponsors

Summary: Resolves that the Massachusetts Marine Fisheries Commission, working with the Massachusetts Director of Marine Fisheries, adopt the recommendations made by the Interstate Watershed Task Force and the Atlantic State Marine Fisheries Commission Law Enforcement Committee to implement a striped bass commercial tagging program at the point of harvest.

Status: Attached to favorable report by Joint Committee

HB817 -Rep. Straus, William (D) - An Act relative to licenses issued by the Division of Marine Fisheries

Sponsor: Rep. Straus, William (D)

Cosponsors: Rep. Ferrante, Ann-Margaret (D)

Summary: Subjects the transferring of licenses issued by the Division of Marine Fisheries to the provisions of Chapter 30A.

Status: Reported favorably as amended by House Committee (REPA/H)

HB820 -Rep. Timilty, Walter (D) - An Act relative to preservation of areas designated areas of critical concern

Sponsor: Rep. Timilty, Walter (D)

Cosponsors: No Cosponsors

Summary: Amends GL 131:40A by authorizing the Commissioner of Environmental Protection to adopt, amend or repeal orders relative to permitting or developing areas designated by the Commonwealth, its agencies or subdivisions as core habitats, conservation concerns and/or critical natural landscape; and directs that the Commissioner protect flood plain areas by adopting an order that, along any waterway or flood-prone area lines beyond which in the direction of the waterway or flood-prone area, improvements to be made by any person or entity be subject to comprehensive permitting.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB1659 -Rep. Turner, Cleon (D) - An Act to amend Chapter 90B, Section 8

Sponsor: Rep. Turner, Cleon (D)

Cosponsors: Rep. Atkins, Cory (D); Rep. Calter, Thomas (D); Rep. Garry, Colleen (D); Sen. Tarr, Bruce (R)

Summary: Stipulates that in sentencing for multiple convictions of operating a ship or boat under the influence, a prior motor vehicle OUI conviction be considered a previous offense.

Status: Joint Committee on Judiciary (JJU)

HB1880 -Rep. Turner, Cleon (D) - An Act relative to the maintenance of private roads, beaches and amenities in municipalities

Sponsor: Rep. Turner, Cleon (D)

Cosponsors: Rep. Calter, Thomas (D); Rep. DiNatale, Stephen (D); Rep. Khan, Kay (D); Rep. Madden, Timothy (D); Sen. Eldridge, James (D)

Refiles: HB579 (2011-2012)

Summary: Adds a new provision to GL c.84 by establishing that an obligation imposed by a recorded document for property owners or occupants to be responsible for to the maintenance of roads, bridges, beaches or other common amenities within a private subdivision will be deemed to have created an equitable servitude and not a condition or restriction; the creation of a private road, bridge, other structure, or common amenities such as parks and beaches requiring maintenance within a private development will be deemed to create a servitude; these servitudes will continue as long as the need for maintenance continues or as long as the road, bridge, structure or amenity remains private.

Status: Ordered to a third reading in the House (ORD3R/H)

HB2117 -Rep. Ayers, Bruce (D) - An Act relative to jet ski safety

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: No Cosponsors

Refiles: HB3369 (2011-2012)

Summary: Amends GL 90B, the statute governing Motorboats, Other Vessels and Recreational Vehicles, to require all jet ski, surf jet or wetbike operators to participate in a mandatory training program prior to such operation; requires that the division of law enforcement within the department of fisheries and wildlife determine the minimum safety skills necessary for operation of these vehicles.

Status: House Committee on Ways and Means (HWM)

HB2147 -Rep. Ferrante, Ann-Margaret (D) - An Act relative to penalties for false distress calls

Sponsor: Rep. Ferrante, Ann-Margaret (D)

Cosponsors: Rep. Calter, Thomas (D)

Refiles: HB1555 (2011-2012)

Summary: Directs the Secretary of the Executive Office of Public Safety and Homeland Security, in consultation with the Attorney General, to promulgate regulations establishing a penalty schedule for false marine distress calls; requires said schedule to include reimbursements from individuals making such calls to responding state agencies.

Status: Reported favorably by Joint Committee (REP/J)

HB2186 -Rep. Puppolo, Jr., Angelo (D) - An Act relative to recreational vehicles

Sponsor: Rep. Puppolo, Jr., Angelo (D)

Cosponsors: No Cosponsors

Refiles: HB656 (2011-2012)

Summary: Directs the registry of motor vehicles to establish a recreational vehicle educational safety program; requires all operators of such recreational vehicles to participate in said program and retain a certificate of completion within the vehicle during use; imposes a fine of fifty dollars for a first offense, one hundred dollars for a second offense and two-hundred and fifty dollars for subsequent violations of the section; requires persons or businesses engaged in selling, renting, or leasing such vehicles to verify that consumers buying, renting or leasing such vehicles have the appropriate certificate of completion.

Status: Joint Committee on Public Safety and Homeland Security (JPSF)

HB2194 -Rep. Straus, William (D) - An Act relative to kayak safety

Sponsor: Rep. Straus, William (D)

Cosponsors: No Cosponsors

Refiles: HB664 (2011-2012)

Summary: Amends GL c.90B, the statute governing Motorboats, Other Vessels and Recreational Vehicles, to add canoes and kayaks to the statute's provisions; requires kayak instructors to receive first

aid and CPR training approved by DPH; requires kayak instructors to receive American Canoe Association certification, American Red Cross small craft safety certification and basic water rescue training; requires kayak instructors to train students on the safety procedures appropriate to the level of paddling difficulty.

Status: Joint Committee on Public Safety and Homeland Security (JPSF)

HB2506 -Rep. Beaton, Matthew (R) - An Act relative to a study of loss of revenue due to the decline of the recreational fishery

Sponsor: Rep. Beaton, Matthew (R)

Cosponsors: Rep. Ferguson, Kimberly (R)

Summary: Requires that the Legislature and DOR, in conjunction with the Joint Committee on Revenue, study the decline of recreational fishery and the concurrent impact on state revenues.

Status: Joint Committee on Revenue (JRV)

HB2515 -Rep. Cabral, Antonio (D) - An Act relative to brownfields tax credits

Sponsor: Rep. Cabral, Antonio (D)

Cosponsors: Rep. Andrews, Denise (D); Rep. Dykema, Carolyn (D); Rep. Koczera, Robert (D); Rep. Provost, Denise (D); Rep. Sciortino, Carl (D); Rep. Haddad, Patricia (D); Sen. Finegold, Barry (D); Sen. Moore, Michael (D); Sen. Tarr, Bruce (R)

Summary: Amends various GLs to extend to 2019 the eligibility for certain income tax credits for taxpayers, nonprofits and business owners who undertake an environmental response action on a brownfield site.

Status: House Committee on Ways and Means (HWM)

HB2518 -Rep. Cantwell, James (D) - An Act repealing the sales tax on boats built or rebuilt in the Commonwealth

Sponsor: Rep. Cantwell, James (D)

Cosponsors: Rep. Murphy, James (D); Rep. Cutler, Josh (D)

Refiles: HB754 (2011-2012)

Summary: Exempts the sale of boats built or rebuilt and delivered in Massachusetts by Massachusetts craftsmen from the sales tax.

Status: Joint Committee on Revenue (JRV)

HB2524 -Rep. Chan, Tackey (D) - An Act restoring the harbors and inland waters maintenance fund

Sponsor: Rep. Chan, Tackey (D)

Cosponsors: No Cosponsors

Summary: Amends GLs 64A:13 and c. 91 to require that .05% of gas taxes revenue be credited to the Harbors and Island Waters Maintenance Fund.

Status: Joint Committee on Revenue (JRV)

HB2539 -Rep. Cutler, Josh (D) - An Act Relative to the definition of Open Space under the Community Preservation Act

Sponsor: Rep. Cutler, Josh (D)

Cosponsors: No Cosponsors

Summary: Amends GL 44B:2 to include ocean, rivers, streams, lakes and pond frontage as open space for purposes of the Community Preservation Act.

Status: Joint Committee on Revenue (JRV)

HB2543 -Rep. Diehl, Geoff (R) - An Act relative to marine vessels

Sponsor: Rep. Diehl, Geoff (R)

Cosponsors: Rep. Madden, Timothy (D); Rep. Cutler, Josh (D)

Refiles: HB3026 (2011-2012)

Summary: Amends provisions of GL 60B (Excise on Boats, Ships and Vessels in Lieu of Local Property Tax) by essentially rewriting the entire Chapter. Under the bill boat owners will be assessed a flat tax of \$10 per thousand of valuation, and boats will be valued against boats of similar type

and manufacture by the Commissioner of Revenue, but the valuation will not be in excess of 50% in the year of manufacture; in succeeding years, the valuation drops by 10% each year, until leveling off at 10% of price in the fifth and succeeding years. The provisions of law relative to motor vehicle excise also apply to this excise.

Status: Joint Committee on Revenue (JRV)

HB2548 -Rep. Dwyer, James (D) - An Act establishing a permanent annual sales tax holiday

Sponsor: Rep. Dwyer, James (D)

Cosponsors: Rep. Kuros, Kevin (R); Sen. Tarr, Bruce (R)

Refiles: HB756 (2011-2012)

Summary: Directs and authorizes the Commissioner of Revenue to annually designate, by July 15 of each calendar year, a two-day weekend in August for tax exemptions for sales.

Status: Joint Committee on Revenue (JRV)

HB2671 -Rep. Michlewitz, Aaron (D) - An Act relative to assessing administration

Sponsor: Rep. Michlewitz, Aaron (D)

Cosponsors: Rep. Basile, Carlo (D)

Refiles: HB781 (2011-2012)

Summary: Regulates the financing of wastewater projects by entities that are authorized to finance all or any part of the cost thereof through the issuance of eligible indebtedness; amends the rate of reimbursement that will be paid under the act.

Status: Joint Committee on Revenue (JRV)

HB2759 -Rep. Walsh, Chris (D) - An Act increasing public access to abandoned rights of way and conservation easements

Sponsor: Rep. Walsh, Chris (D)

Cosponsors: No Cosponsors

Summary: Increases public access to public and quasi-public land by acquiring abandoned property, specifically public utility land, and private property willfully donated through conservation easements and restrictions. To accomplish this purpose, the bill establishes a municipal taxing mechanism granting a city or town the power to levy a real estate tax on public utility company that has abandoned a public utility site; it incentivizes the company to open the land to the public by granting a public right of way; increases the powers of the Department of Conservation stewardship council amends the requirements for obtaining conservation easements, and creates a conservation tax credit.

Status: Joint Committee on Revenue (JRV)

HB2766 -Former Rep. Winslow, Daniel (R) - An Act repealing the sales tax on boats built or rebuilt in the Commonwealth

Sponsor: Former Rep. Winslow, Daniel (R)

Cosponsors: Rep. Barrows, Fred (R); Rep. Beaton, Matthew (R); Rep. Boldyga, Nicholas (R); Rep. Ferguson, Kimberly (R); Rep. Gifford, Susan (R); Rep. Hunt, Randy (R); Rep. Murphy, James (D)

Refiles: HB754 (2011-2012)

Summary: Exempts the sale of boats built or rebuilt and delivered in Massachusetts by Massachusetts craftsmen from the sales tax.

Status: Joint Committee on Revenue (JRV)

HB2871 -Rep. Rushing, Byron (D) - An Act to protect tropical forests by restricting state purchases of certain wood products

Sponsor: Rep. Rushing, Byron (D)

Cosponsors: Rep. Andrews, Denise (D); Rep. Fox, Gloria (D); Rep. Khan, Kay (D); Rep. Provost, Denise (D); Rep. Keefe, Mary (D); Sen. Barrett, Michael (D)

Refiles: HB836 (2011-2012)

Summary: Prohibits the commonwealth from purchasing wood grown in a tropical forest or products made substantially of wood grown in a tropical forest except where a public necessity exists and no other alternative is available, or the case of wood grown in a second growth forest carrying independent certification; requires the consideration of recycled plastic lumber as an alternate

Status: material in all bids for outdoor and marine projects.
Reported favorably by Joint Committee (REP/J)

HB2916 -Rep. Cantwell, James (D) - An Act relative to hydrokinetic energy

Sponsor: Rep. Cantwell, James (D)

Cosponsors: Rep. Cutler, Josh (D)

Refiles: HB859 (2011-2012)

Summary: Amends provisions of 138:164 and the definition of Class I net metering credit to add hydrokinetic energy to the list of alternative energies (currently solar, anaerobic digestion or wind as its energy source) which, if not used as the source of energy, will reduce the Class I credit to the average monthly clearing price at the ISO-NE. (A "hydrokinetic net metering facility" is defined as one that uses waves, tides, and currents in oceans, estuaries, and tidal areas, free-flowing water in rivers, lakes, and streams or ocean thermal energy conversion to generate electricity.)

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

HB2957 -Rep. Madden, Timothy (D) - An Act to restore local control in coastal communities of the Commonwealth

Sponsor: Rep. Madden, Timothy (D)

Cosponsors: Rep. Peake, Sarah (D); Rep. Turner, Cleon (D); Rep. Mannel, Brian (D)

Refiles: HB2620 (2011-2012)

Summary: Authorizes any coastal city or town may designate a proposed area of coastal waters adjacent to said city or town or a land area within the boundaries of said city or town as a wind development exclusion zone.

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

HB2980 -Rep. Smizik, Frank (D) - An Act relative to comprehensive siting reform for land based wind projects

Sponsor: Rep. Smizik, Frank (D)

Cosponsors: Rep. Balsler, Ruth (D); Rep. Conroy, Thomas (D); Rep. DiNatale, Stephen (D); Rep. Hecht, Jonathan (D); Rep. Lewis, Jason (D); Rep. Moran, Michael (D); Rep. Murphy, James (D); Rep. Provost, Denise (D); Rep. Sannicandro, Tom (D); Rep. Sciortino, Carl (D); Sen. Eldridge, James (D); Rep. Heroux, Paul (D); Sen. Barrett, Michael (D)

Refiles: SB1666 (2011-2012)

Summary: Articulates the public purposes of the act as follows: to encourage the development of clean, renewable, electric generating plants and ancillary facilities powered by wind, to ensure that such facilities are sited in appropriate locations based on clear, predictable and protective environmental, cultural and historic resource standards and to streamline the permitting of such facilities at the state and local level and reduce delays associated with appeals of such permits; creates an entire new chapter entitled Wind Energy Permitting which does the following: regulates the creation of new wind energy facilities through the Department of Energy Resources via wind energy permitting boards created by local municipalities which are identified as containing a significant wind resource area; regulates permit approval and building decisions which shall be approved by the local wind energy permitting boards and non-specified regional planning agencies in consultation with other local boards; articulates additional powers and responsibilities of aforementioned boards; regulates responsibilities of any applicant including the payment of a community mitigation fee and also a required offer to the host municipality, or its designee, for the option of entering into a legally enforceable purchase and sale agreement for not more than 10% of the electricity generated on site for use by the host municipality or its designee; amends the duties of the energy facilities siting board within said department; promulgates rules and regulations under Chapter 164 related to standards created by the energy facilities siting board for expedited permitting for land-based siting, operation and decommissioning of wind energy facilities; directs said board shall create an advisory group, who shall share money and resources with said board, to develop recommended standards under the direction of the chair of said board; articulates application procedures and processes for a person proposing to construct a wind energy facility with a capacity of at least 2 megawatts or related test towers who also qualifies for expedited permitting; further regulates duties of the energy facilities siting board as related to considerations for review and approval of any permit

and building site or facility standards, fees for application of said permits and their allocation to various state agencies or retainment by said board, and the conducting of a public hearing within 60 days of the notice of a complete application being delivered.

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

HB2998 -Rep. Peake, Sarah (D) - An Act relative to tourism

Sponsor: Rep. Peake, Sarah (D)

Cosponsors: Rep. Canavan, Christine (D); Rep. Ferrante, Ann-Margaret (D); Rep. Khan, Kay (D)

Refiles: HB3714 (2011-2012)

Summary: Establishes a grant program for financial assistance to regional tourism promotion agencies; lists the agencies herein, that funds shall be granted to; strengthens efforts of tourism, convention, travel and recreation agencies to attract and service visitors to the commonwealth and to better manage and distribute the influx of said visitors; sets forth criteria for agencies in order to receive such grant; articulates how agencies may apply for said grant.

Status: Joint Committee on Tourism, Arts and Cultural Development (JTA)

HB3006 -Rep. Ayers, Bruce (D) - An Act relative to the safety inspections of the Long Island Bridge in the City of Boston

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: Rep. Collins, Nicholas (D)

Refiles: HB3071 (2011-2012)

Summary: Directs the department of transportation to perform quarterly safety inspections of the Long Island Bridge; directs the city of Boston to implement a transportation service via shuttle/barge within 90 days if the bridge is deemed unsafe.

Status: Joint Committee on Transportation (JTR)

HB3178 -Rep. Binienda, John (D) - An Act relative to inland fisheries and game licenses

Sponsor: Rep. Binienda, John (D)

Cosponsors: Sen. Moore, Michael (D)

Refiles: HB3215 (2011-2012)

Summary: Exempts disabled veterans with forty percent or greater service-connected disability from paying fees for sporting, hunting, fishing and trapping licenses.

Status: Joint Committee on Veterans and Federal Affairs (JVF)

HB3341 -Rep. Basile, Carlo (D) - An Act relative to child care and waterfront developments

Sponsor: Rep. Basile, Carlo (D)

Cosponsors: Rep. Honan, Kevin (D)

Summary: Amends provisions of GL 91:14 relative to a license to build structures in and over tidewater, by declaring that child care and early education services are a "proper public purpose" within the meaning of the section. The section authorizes the licensing of the construction or extension of a wharf, pier, dam, sea wall, road, bridge or other structure over tide water below high water mark; it also prohibits structures or fills on private tidelands or public tidelands unless necessary to accommodate a water dependent use, provided that for public tidelands the structures or fill also serve a "proper public purpose" providing a greater public benefit than public detriment to the rights of the public in said lands. In effect then, this bill would automatically have child care meet the requirement of the greater public benefit.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB3361 -Rep. Ayers, Bruce (D) - An Act relative to the inspection of the maritime safety and environmental protection of Long Island Bridge Boston by the United States Coast Guard

Sponsor: Rep. Ayers, Bruce (D)

Cosponsors: No Cosponsors

Summary: Amends GL 22C to require the State Police, with assistance from the United States Coast Guard, to perform quarterly routine and special member inspections of the maritime and environmental safety of the Long Island Bridge, which connects Moon Island and Long Island; if the determination is made that critical structural elements of the bridge pose a serious maritime

or environmental hazard, the City of Boston must establish alternate means of access using a water shuttle or barge within 90 days.

Status: Reported favorably by Joint Committee (REP/J)

HB3400 -House Ways and Means - An Act making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements

Sponsor: House Ways and Means

Cosponsors: No Cosponsors

Summary: Sets forth the House Ways & Means committee's recommendations for the 2014 fiscal year General Appropriation Act. The budget includes \$31,324,569,933 in direct appropriations, \$484,945,201 in chargebacks between agencies, \$519,398,646 in retained revenue, \$2,461,519,149 in federal grants, and \$1,969,721,192 in consolidated transfers, for total appropriations of \$36,760,154,121. In the outside sections the budget addresses such issues as EOHHS public assistance verification, sex offender record checks for private child care programs, EBT photo IDs, DOR set - off debt collection, Clinical laboratories updates, Health Safety Net surcharge amounts, the creation of several new Trust Funds, DPU gas and electric surcharge assessments, postponement of FAS 109 deductions, MassHealth dental services, nursing home rate sufficiency, the IG pool audit unit, pension liability fund transfers, Chapter 70 minimum required local contribution recalculations, TAFDC benefits determination, and several other issues.

Status: Passed in the House (PASS/H)

HB3401 -House Ways and Means - Printed as amended version of the Bill making appropriations for the fiscal year 2014 for the maintenance of departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements

Sponsor: House Ways and Means

Cosponsors: No Cosponsors

Summary: Sets forth the House engrossed version ("printed as amended") of the 2014 fiscal year General Appropriation Act. The budget includes \$31,481,139,635 in direct appropriations, \$484,945,201 in chargebacks between agencies, 522,658,646 in retained revenue, \$2,466,269,149 in federal grants, and \$1,969,721,192 in consolidated transfers, for total appropriations of \$36,895,373,723. In the outside sections the budget addresses such issues as EOHHS public assistance verification, sex offender record checks for private child care programs, EBT photo IDs, DOR set-off debt collection, Clinical laboratories updates, Health Safety Net surcharge amounts, the creation of several new Trust Funds, DPU gas and electric surcharge assessments, postponement of FAS 109 deductions, MassHealth dental services, nursing home rate sufficiency, the IG pool audit unit, pension liability fund transfers, Chapter 70 minimum required local contribution recalculations, TAFDC benefits determination, and several other issues. In addition, during the budget debate, the House adopted several controversial measures such as reinstatement of the death penalty and reforms to public benefits assistance but then blunted those measures by rendering them ineffective, as kind of "poison pill," until the issue has been studied by various executive branch agencies, and these have filed corrective legislation based on those studies.

Status: Conference committee appointed in the House (CC/H)

HB3415 -House Ways and Means - An Act relative to transportation finance

Sponsor: House Ways and Means

Cosponsors: No Cosponsors

Summary: This bill, printed as amended, amends various parts of transportation law to close a perceived \$520 million annual gap (\$2.3 billion over five years) by increasing the gasoline tax by 3 from 21 to 24 per gallon; by increasing excise taxes on other tobacco products by substantial amounts; by eliminating the utility tax classification; by changing the sourcing of sales for multi-state corporations; and by modernizing the tax code with respect to software and software services, including modifications to software and computer system planning and design. Also appropriates \$100K for a new Transportation Performance and Asset Management Advisory

Council -- to go along with the \$300 million previously recommended for the construction and reconstruction of town and county ways in HB 3379 -- and adds provisions requiring more transparency relative to transportation projects, such as requiring the publication of five years of transportation projects on a searchable website as well as the alternatives that have been considered prior to raising tolls or fares.

Status: Conference committee appointed in the House (CC/H)

HB3453 -Former Rep. O'Flaherty, Eugene (D) - An Act relative to Charlestown's designated port area

Sponsor: Former Rep. O'Flaherty, Eugene (D)

Cosponsors: No Cosponsors

Summary: Directs that a parcel of filled land located on Terminal Street in the Charlestown section of the city of Boston be excluded from the boundaries of any designated port area; directs that no waterways license shall be required for the construction, reconstruction, renovation, use, change of use, or re-use of any building, structure or premises on the parcel.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB3461 -Joint Committee on Environment, Natural Resources & Agriculture - An Act relative to the Division of Waterways to dredge Quincy Bay

Sponsor: Joint Committee on Environment, Natural Resources & Agriculture

Cosponsors: No Cosponsors

Summary: Establishes that the office of waterways in the department of conservation and recreation shall be responsible to dredge the natural harbor channel existing between the Squantum Yacht Club and the Wollaston Yacht Club, in the Wollaston Beach area in the city of Quincy, and extending into greater Quincy Bay.

Status: House Committee on Ways and Means (HWM)

HB3505 -Rep. Walsh, Steven (D) - An Act to protect the coastal waters of the Commonwealth

Sponsor: Rep. Walsh, Steven (D)

Cosponsors: No Cosponsors

Summary: Adds new section 14A to G.L. 21A, the statute governing EOEEA, to prohibit passenger vessels from disposing of or discharging into the marine waters of the commonwealth solid waste or macerated sewage of any kind; provides civil administrative penalties for violations of this statute; defines passenger vessels.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

HB3535 (Chapter 46 of 2013) -Conference Committee - An Act relative to transportation finance

Sponsor: Conference Committee

Cosponsors: No Cosponsors

Summary: Bolsters spending on transportation finance by increasing the gasoline tax by 3 from 21 to 24 per gallon; by increasing excise taxes on other tobacco products by substantial amounts; by eliminating the utility tax classification; by changing the sourcing of sales for multi-state corporations; by modernizing the tax code with respect to software and software services, including modifications to software and computer system planning and design; by requiring utilities with infrastructure on state rights-of-way to pay fair market value for their use; by redirect a 2.5 underground storage tank gas tax to the Commonwealth Transportation Fund, and indexing it to inflation; by requiring transportation and MBTA officials to issue a request for proposals for licensing the naming rights to subway, bus, and commuter rail stations; and by raising additional funds for transportation by 2018 through various measures.

Status: Became law without Governor's signature (UNSIGNED)

HB3538 (Chapter 38 of 2013) -Conference Committee - An Act making appropriations for the Fiscal Year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial

bond requirements and for certain permanent improvements

Sponsor: Conference Committee

Cosponsors: No Cosponsors

Summary: Sets forth the Conference Committee's compromises on the text of the FY 2014 General Appropriation Act. This budget includes \$31,719,854,755 in direct appropriations, \$484,944,904 in chargebacks between agencies, \$537,181,026 in retained revenue, \$2,451,307,733 in federal grants, and \$1,840,772,032 in consolidated transfers, for a total appropriation of \$37,034,060,45. Outside sections include ones changing the calculation of the acute hospital surcharge, changing the membership of the Art Commission, adding several new funds and special commissions, changing the calculation of the Chapter 70 minimum contribution waiver, validating certain collective bargaining agreements, extending certain items from previous budgets (like the authority of DCAMM to engage in lease negotiations), amendments to employer's fair share contributions to medical insurance, enhanced DOR authority to offset refunds, amendments to the health safety net, increasing certain judicial salaries, the marketing of food items with shelftags, and additional postponement of the FAS 109 deduction, surcharges to the public safety training fund, changes to the sex offender registry, provisions for trial court transferability, transfer of the consolidated net surplus, and provisions to bring a 50/50 balance between the state and students regarding UMass tuition and fees, among other things. Some of the funding for this budget is actually included in the recently passed Transportation Finance legislation, which, among other things, increases the gasoline tax by 3¢ from 21¢ to 24¢ per gallon; eliminates the utility tax classification; changes the sourcing of sales for multi-state corporations; and updates the taxation of software services, including modifications to software and computer system planning and design.

Status: Signed In Part

HB3544 -Governor - A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill relative to transportation finance (House, No. 3535).

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Represents the Governor's vetoes of the transportation finance bill, which the Governor believes provides insufficient funding for the Commonwealth's transportation projects, especially if the tolls on the Western portion of the MassPike are removed. In particular, the Governor's vetoes: (1) provide that if the amount credited to the Massachusetts Transportation Trust Fund from receipts from MassPike is reduced from the amount in FY 2016, the Comptroller will then transfer from the Commonwealth Transportation Fund to the Massachusetts Transportation Trust Fund an amount equal to the reduction, plus 1% annually; (2) raise the gas tax sufficient to fund this annual transfer; (3) make changes in the composition of the Massachusetts Port Authority Community Advisory Committee.

Status: Filed in the House (FILE/H)

HB3558 (Chapter 63 of 2013) -Governor - Engrossed Bill relative to sex offenders (see House, No. 3558).[Being a printed copy of sections 8 and 13 contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3566, Attachment C).]

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside sections 8 and 13, which the Governor vetoed as part of his veto message in the FY 2014 General Appropriations Act (see HB 3538). Section 8 amended GL 6:178F relative to the registration of sex offenders to provide that when a sex offender classified as level 2 or 3 is released from custody he or she must appear in person within 2 days of release to register with the police. (In person registration requirements have historically been limited to level 1 offenders.) Section 13 amended GL 6:178M to allow an offender to seek judicial review of his reclassification requirements, as well as the offender's

classification and registration requirements.

Status: Signed by the Governor (SIGNED)

HB3559 (Chapter 60 of 2013) -Governor - Engrossed Bill relative to a hospital merger market impact review (see House, No. 3559).[Being a printed copy of Section 19 contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3566, Attachment D).]

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside section 19, which had been returned by the Governor as part of his vetoes of the FY 2014 Budget Act, with recommendation of amendment (for message see HB 3566, Attachment D). Section 19 amended provisions of the new Health Policy Commission, to whom health care providers must submit notice before making material change to their operations or governance structure, to require the Commission to complete its reviews within 150 days from the date that the provider or provider organization has submitted notice to the Commission.

Status: Signed by the Governor (SIGNED)

HB3560 -Governor - Engrossed Bill establishing a public employee retirement administration commission (see House, No. 3560).[Being a printed copy of Section 21 contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3566, Attachment E).]

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside section 21, which had been returned by the Governor as part of his vetoes of the FY 2014 Budget Act, with recommendation of amendment (for message see HB 3566, Attachment E). Section 21 amended GL 7:49 to expand the Public Employee Retirement Administration Commission to 9 members and to have the additional members represent county, city or town contributory retirement systems with assets above \$500 million.

Status: House Committee on Bills in the Third Reading (HBT)

HB3561 (Chapter 64 of 2013) -Governor - Engrossed Bill relative to distribution of regional greenhouse gas initiative auction proceeds (see House, No. 3561).[Being a printed copy of Section 36 contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3566, Attachment F).]

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside section 36, which had been returned by the Governor as part of his vetoes of the FY 2014 Budget Act, with recommendation of amendment (for message see HB 3566, Attachment F). Section 36 rewrote GL 21A:22 to allow proceeds from the RGGI

Auction Trust Fund to be used to reimburse a municipality in which property taxes from an electric generating station are reduced as a result of a reduction in capacity factor of at least 50% of a dual coal and oil fired facility, occurring on or after 7/1/2012.

Status: Signed by the Governor (SIGNED)

HB3562 (Chapter 150 of 2013) -Governor - Engrossed Bill relative to price adjustments for certain materials in construction projects (see House, No. 3562).

[Being a printed copy of Section 45 contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see House, No. 3566, Attachment G).]

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside section 45, which had been returned by the Governor as part of his vetoes of the FY 2014 Budget Act, with recommendation of amendment (for message see HB 3566, Attachment G). Section 45 amended GL 30:38A to require that contracts for road, bridge, water and sewer projects include a price adjustment clause for fuel, asphalt, concrete and steel.

Status: Signed by the Governor (SIGNED)

HB3564 (Chapter 61 of 2013) -Governor - An Act relative to judicial compensation; Sections 114 to 134, inclusive, and sections 216 and 217 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment I of House, No. 3566)

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside sections 114-134 and 216-217, which together provided for judicial pay increases as well as their effective dates, and which the Governor vetoed as part of his veto message in the FY 2014 General Appropriations Act (see HB 3538). (Note: the effective date sections still use the numbering from the outside sections, as opposed to the numbering provided in the text itself.)

Status: Signed by the Governor (SIGNED)

HB3565 -Governor - An Act relative to the taxation of carbon-based fuels; Section 207 contained in the engrossed Bill making appropriations for the fiscal year 2014 (see House, No. 3538), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment J of House, No. 3566)

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Reprints a copy of the text of outside section 207, which had been returned by the Governor as part of his vetoes of the FY 2014 Budget Act, with recommendation of amendment (for message see HB 3566, Attachment I). Section 207 required the Commissioner of Revenue, in consultation with Energy Resources, to file a report on the consequences of broadening the gas tax to include sales of all carbon-based fuels. The Governor's veto added "bottle bill" amendments to 207 primarily including mineral water, flavored and unflavored water, spring water, fruit drinks, juice, sports drinks and other water beverages, coffee and coffee-based drinks within the purview of the bottle bill which the legislature took back out in re-enacting this section.

Status: House Committee on Bills in the Third Reading (HBT)

HB3566 -Governor - Message from His Excellency the Governor returning with his disapproval of certain sections, and also with recommendation of amendment of certain

sections contained in the engrossed Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 3538).

Sponsor: Governor

Cosponsors: No Cosponsors

Summary: Constitutes the Governor's vetoes of the FY14 General Appropriation Act, filed in concert with the Governor's 1st FY14 Supplemental (see H3567), eliminates \$434,790,505 in spending from the FY 2014 budget. As part of the Governor's ongoing dispute with the Legislature of the amount of revenues raised in the Transportation Finance bill (see H3535), these vetoes are essentially contingent on the Legislature overriding the Governor's vetoes on the Transportation Finance Bill (and would mostly be restored if the revenues were forthcoming). The vetoes include \$177,070,000 in UGGA local aid; \$115,200,000 in the operating transfer to the MBTA; \$75,664,945 in funding for the Massachusetts Transportation Trust Fund; \$49,135,055 in operating transfers to the Regional Transit Authorities; and then a number of smaller vetoes that are under \$2.5 million. In the outside sections, the Governor vetoes sections having to do with the civil fine exemption for the tramway industry; the primary care hospital residency programs; collective bargaining for municipal public safety officers; the mosquito control district budgets; and Department of Correction food procurement. In addition, the Governor vetoes additional outside sections which will also be the subject of proposed future amendments (not yet released) dealing with the the judicial pay increases (also contingent on receiving required revenues), the sex offender registry, the hospital merger market impact review, the expansion of PERAC, the RGGI community reimbursement, the construction contracts price adjustment clauses, and ethanol storage or blending facilities.

Status: House Committee on Ways and Means (HWM)

HB3821 -House Ways and Means - An Act relative to licenses issued by the Division of Marine Fisheries

Sponsor: House Ways and Means

Cosponsors: No Cosponsors

Summary: (Please note that as of 2/24/2014, no bill text has been released for this bill, even though the official bill history claims the bill was filed on 12/23/2013. In addition, the bill title was not released until 1/13/2014.)

Status: Senate Committee on Ways and Means (SWM)

HB3855 -Joint Committee on Environment, Natural Resources & Agriculture - An Act relative to boater safety to be known as the David Hanson act

Sponsor: Joint Committee on Environment, Natural Resources & Agriculture

Cosponsors: No Cosponsors

Summary: Adds several new sections to GL 90B, the statute governing Motorboats, Other Vessels and Recreational Vehicles requiring the Director of Law Enforcement in the Division of Fisheries, Wildlife and Environmental Law Enforcement to establish and implement a boating education program, boating education course, examination, certificate and examination fee; prohibits persons born on or after January 1, 1988 from operating a motorboat unless they obtain a boating certificate, and phases in those requirements over four years; establishes penalties for violations of these provisions, as well as certain exemptions; requires persons engaged in the business of renting or leasing motorboats to provide a safe motorboat operation checklist to operators. (Please note that this act is named after David Hanson, a 19 year old who drowned while boating at night off of the coast of Plymouth in May of 2010.)

Status: House Committee on Ways and Means (HWM)

SB3 -Senate Ways and Means - Text of the recommended amendment to the House Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements

Sponsor: Senate Ways and Means

Cosponsors: No Cosponsors

Summary: Sets forth the Senate Ways & Means committee's recommendations for the 2014 fiscal year General Appropriation Act. The budget includes \$31,560,157,796 in direct appropriations, \$484,944,896 in chargebacks between agencies, \$556,615,195 in retained revenue, \$2,449,904,612 in federal grants, and \$1,843,751,224 in consolidated transfers, for total appropriations of \$36,895,373,723. In the outside sections the budget addresses such issues as the Art Commission and Bureau of the State House, updates to sex offender registration, University of Massachusetts tuition retention, Department of Public Safety civil penalties, increasing efficiencies of the Appellate Tax Board, DOR'S authority to offset refunds, the Brownfields tax credit extension, a veteran's designation on a license or ID card, the Environmental Police Trust Fund, assessments to the Health Safety Net, employer medical assistance contributions, postponement of FAS 109 deduction, and related issues.

Status: Filed in the Senate (FILE/S)

SB1766 -Senate Ways and Means - An Act relative to transportation finance

Sponsor: Senate Ways and Means

Cosponsors: No Cosponsors

Summary: Addresses issues of transportation finance to close a perceived \$2.3 billion budget gap over five years. This bill represents the compromise House and Senate Transportation Finance legislation; although technically a report in part of the Governors House 1 General Appropriations Act filing, this bill has, in fact, nothing in it that was also part of the Governors bill. (The Governors own Transportation Finance bill is HB 3327, a small part of which was reported out as HB 3379 from the Joint Committee on Transportation.) This bill is notable for its more restrained approach to transportation finance as opposed to the Governors bill: while the Governor sought to raise \$19.2 billion in revenues, mostly supported by bonding and revenue enhancements floated in his HB 1 submission, this bill seeks to close the gap by increasing the gasoline tax by 3 from 21 to 24 per gallon; by increasing excise taxes on other tobacco products by substantial amounts; by eliminating the utility tax classification; by changing the sourcing of sales for multi-state corporations; by modernizing the tax code with respect to software and software services, including modifications to software and computer system planning and design; by requiring utilities with infrastructure on state rights-of-way to pay fair market value for their use; by redirect a 2.5 underground storage tank gas tax to the Commonwealth Transportation Fund, and indexing it to inflation; and by raising approximately \$85 million in additional funds for transportation by 2018 through various measures.

Status: Filed in the Senate (FILE/S)

SB1770 -Senate Ways and Means - Text of the Senate amendment to the House Bill relative to transportation finance (being the text of Senate document, printed as amended)

Sponsor: Senate Ways and Means

Cosponsors: No Cosponsors

Summary: Addresses issues of transportation finance to close a perceived \$2.3 billion budget gap over five years. This bill represents the compromise House and Senate Transportation Finance legislation; although technically a report in part of the Governors House 1 General Appropriations Act filing, this bill has, in fact, nothing in it that was also part of the Governors bill. (The Governors own Transportation Finance bill is HB 3327, a small part of which was reported out as HB 3379 from the Joint Committee on Transportation.) This bill is notable for its more restrained approach to transportation finance as opposed to the Governors bill: while the Governor sought to raise \$19.2 billion in revenues, mostly supported by bonding and revenue enhancements floated in his HB 1 submission, this bill seeks to close the gap by increasing the gasoline tax by 3 from 21 to 24 per gallon; by increasing excise taxes on other tobacco products by substantial amounts; by eliminating the utility tax classification; by changing the sourcing of sales for multi-state corporations; by modernizing the tax code with respect to software and software services, including modifications to software and computer system planning and design; by requiring utilities with infrastructure on state rights-of-way to pay fair market value for their use; by redirect a 2.5 underground storage tank gas tax to the Commonwealth Transportation Fund, and indexing it to inflation; by requiring transportation and MBTA officials to issue a request for proposals for licensing the naming rights to subway, bus, and commuter rail stations; and by raising approximately \$85 million in additional funds for transportation by 2018 through various measures.

Status: Filed in the Senate (FILE/S)

SB1800 -Senate Ways and Means - Text of the Senate amendments to the House Bill making appropriations for the fiscal year 2014 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements

Sponsor: Senate Ways and Means

Cosponsors: No Cosponsors

Summary: Sets forth the Senate-engrossed version ("printed as amended") of the 2014 fiscal year General Appropriation Act. The budget includes \$31,621,080,376 in direct appropriations, \$484,944,905 in chargebacks between agencies, \$558,615,231 in retained revenue, \$2,450,550,038 in federal grants, and \$1,847,715,588 in consolidated transfers, for total appropriations of \$36,962,906,138. In the outside sections the budget addresses such issues as the Art Commission and Bureau of the State House, updates to sex offender registration, University of Massachusetts tuition retention, Department of Public Safety civil penalties, increasing efficiencies of the Appellate Tax Board, DOR'S authority to offset refunds, the Brownfields tax credit extension, a veteran's designation on a license or ID card, the Environmental Police Trust Fund, assessments to the Health Safety Net, employer medical assistance contributions, postponement of FAS 109 deduction, and related issues. In the floor amendments to the outside sections, the Senate added provisions relative to increasing the salaries of certain judges, updating the bottle bill, as well as enhancing certain aspects of sex offender registration, among other things.

Status: Filed in the Senate (FILE/S)

SB1826 -Sen. Tarr, Bruce (R) - Text of amendment to H3535

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: No Cosponsors

Summary: Constitutes the Republican version of the Transportation Finance Bill; filed by Senator Tarr as Amendment #1 in the debate on the Conference Committee report of the bill (HB 3535) as replaced by the House Ways & Means "perfecting" (or corrective) amendment (HB 3581).

Status: Filed in the Senate (FILE/S)

SB174 -Sen. Eldridge, James (D) - An Act relative to transparency of economic development spending

Sponsor: Sen. Eldridge, James (D)

Cosponsors: Rep. Arciero, James (D); Rep. Atkins, Cory (D); Rep. Khan, Kay (D); Rep. Sciortino, Carl (D); Sen. Chang-Diaz, Sonia (D); Sen. Jehlen, Patricia (D); Sen. Montigny, Mark (D)

Summary: Enacts a short GL c.30C relative to transparency of economic development spending. The chapter defines a "development subsidy" as any expenditure of public funds with a value of at least \$25,000 for the purpose of stimulating economic development; requires the establishment of a unified economic development budget, which the DOR must submit to the Legislature no later than 3 months after the end of a fiscal year; requires each municipality or "property-taxing entity" to submit an annual report to DOR regarding any real property in the entity's jurisdiction that has received a development subsidy of at least \$5,000; requires that collected information be included as part of the searchable website administered by Administration and Finance; authorizes the suspension of payments to any municipality of a development subsidy until the required reports are filed. Identical to HB 323 and HB 324.

Status: Joint Committee on Economic Development and Emerging Technologies (JEC)

SB196 -Sen. Tarr, Bruce (R) - An Act to provide for loans for waterfront development

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Ferrante, Ann-Margaret (D)

Refiles: SB173 (2011-2012)

Summary: Authorizes the Massachusetts Development Finance Agency to spend an amount not to exceed ten million dollars for the purpose of making interest-free or low interest loans to rehabilitate existing infrastructure in waterfront areas; authorizes the State Treasurer to issue and sell bonds of the Commonwealth to fund this program.

Status: Joint Committee on Economic Development and Emerging Technologies (JEC)

SB344 -Sen. Brownsberger, William (D) - An Act creating a process to evaluate exposure to catastrophic flooding as a result of climate change

Sponsor: Sen. Brownsberger, William (D)

Cosponsors: Rep. Cantwell, James (D); Rep. Ehrlich, Lori (D); Rep. Khan, Kay (D); Rep. Lewis, Jason (D); Former Rep. Walz, Martha (D) ; Sen. DiDomenico, Sal (D); Sen. Jehlen, Patricia (D); Sen. Spilka, Karen (D); Rep. Rogers, David (D); Sen. Barrett, Michael (D)

Summary: Requires the Secretary of Energy & Environmental Affairs to convene an advisory committee on flood risks created by climate change, and complete its initial report within 18 months from the date of enactment. The report must include a vulnerability assessments must classify the losses over time associated with each major asset for each flooding scenario as unacceptable, non-critical or immaterial. The Committee must conduct a public hearing before procuring any contract for consulting services and a second hearing before finalizing its initial report.

Status: Senate Committee on Ways and Means (SWM)

SB356 -Sen. Eldridge, James (D) - An Act relative to streamflow standards

Sponsor: Sen. Eldridge, James (D)

Cosponsors: Rep. Andrews, Denise (D); Rep. Arciero, James (D); Rep. Cantwell, James (D); Rep. Ehrlich, Lori (D); Rep. Garballey, Sean (D); Former Sen. Clark, Katherine (D) ; Sen. DiDomenico, Sal (D); Rep. Rogers, David (D); Sen. Barrett, Michael (D)

Refiles: SB349 (2011-2012)

Summary: Authorizes and directs the Department of Environmental Protection in consultation with the water resources commission and the advisory council shall adopt, and thereafter from time to time may amend, regulations establishing standards for restoring and maintaining stream flows, water levels and hydrologic regimes that are protective of natural aquatic life for all rivers and streams in the Commonwealth and ensure a balance among competing water withdrawals and uses, as well as preservation of the water resource itself; regulates rules and regulations relative to mitigate water withdrawal impact on any river or stream and permits relating to such rules in Section 38 and 39J of Chapter 40; prohibits any source of water supply and lands necessary for protecting and preserving the purity of the water shall not be sold by a city or town

to a private corporation without first obtaining the advice and consent of said department; establishes the Sustainable Water Resource Fund; regulates collections of a fee which shall generate money to be deposited into said fund, which may be based on retaining within the basin or saving at least one gallon, but no more than ten gallons, for every gallon of increased water or sewer demand; regulates provisions relative to a city or town's right to acquire a dam by gift, eminent domain and other provisions relative to dam removal; regulates provisions associated with aquatic habitat conditions across the Commonwealth and their documentation by said department; articulates relevant definitions related to dams, dam ownership, and dam removal; directs the Commissioner of the Department of Recreation and Conservation shall take an inventory and make a report of all existing dam facilities in the Commonwealth including their owner, location, and condition; directs and authorizes the Secretary of Environmental Affairs shall write and implement a \$20,000,000 revolving loan fund for private dam owners to inspect, repair, and remove dams, with the assistance of the Secretary of Administration and Finance; articulates such fund shall be paid for through the Capital budget.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB361 -Sen. Eldridge, James (D) - An Act protecting the natural resources of the Commonwealth

Sponsor: Sen. Eldridge, James (D)

Cosponsors: Rep. Balsler, Ruth (D); Rep. Benson, Jennifer (D); Rep. Khan, Kay (D); Rep. Peisch, Alice (D); Former Rep. Walz, Martha (D) ; Sen. Downing, Benjamin (D); Sen. Jehlen, Patricia (D); Sen. Tarr, Bruce (R); Rep. Keefe, Mary (D); Rep. Rogers, David (D); Sen. Barrett, Michael (D)

Refiles: SB350 (2011-2012)

Summary: Submits the Public Lands Provision Act prohibiting the net loss of lands taken for natural resource purposes; directs the General Court to avoid enacting legislation to allow a disposition or changing the use of natural resource land unless the owner of the lands or easements provides same with articulated materials, including the approval of the Secretary of Environmental Affairs; directs said secretary to develop guidelines for conducting an alternatives analysis and identifying replacement land.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB364 -Former Sen. Hart, Jack (D) - An Act authorizing and directing the Division of Waterways to dredge the harbor area surrounding several yacht clubs in Boston

Sponsor: Former Sen. Hart, Jack (D)

Cosponsors: No Cosponsors

Refiles: SB355 (2011-2012)

Summary: Directs the director of the division of waterways in the department of environmental quality engineering to dredge the harbor area surrounding Old Colony Yacht Club, Dorchester, subject to appropriation at an amount not to exceed \$195,000.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB377 -Sen. Moore, Michael (D) - An Act relative to out of state mooring

Sponsor: Sen. Moore, Michael (D)

Cosponsors: No Cosponsors

Refiles: SB1769 (2011-2012)

Summary: Amends provisions of GL 90B:2 relative to the numbering of motorboats, by adding provisions that permitting the use of an out-of-state numbering system for boats that are used predominantly outside the territorial waters of Massachusetts, so long as the owner also rents or owns property in the other state; amends provisions of GL 90B:14, relative to administrative penalties for motorboat infractions, by adding an additional penalty equal in amount to the excise tax of a vessel for the previous fiscal year for any violation of the numbering system set forth in GL 90B:2(5).

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB383 -Sen. Moore, Richard (D) - An Act incorporating wetland stewardship and scenic resources into wetland protection

Sponsor: Sen. Moore, Richard (D)

Cosponsors: No Cosponsors

Refiles: SB363 (2011-2012)

Summary: This lengthy and highly technical bill is ostensibly an effort to update wetlands protection legislation with new scientific knowledge, more precise definitions, and new procedures for protecting wetlands. Beginning with a slew of new definitions, the bill provides more detail of what kind of construction can take on what kind of wetlands; authorizes Open Marsh Water Management (OMWM) and hitegrated Marsh Management (1MM) for routine use in wetlands management; requires DEP to apply to take over federal wetland and dredging permits and incorporate them within the state wetland permit process so as to "eliminate duplication" of federal and state permitting; authorizes a wetland or open water enhancement project to be undertaken by any city or town or by a riparian land owner, or by any public action group which has acquired a riparian easement and right of access; and makes other wetland related amendments. Note that environmental groups have in the past opposed this legislation for being at odds with its stated purpose, by removing protections form many wetlands and vernal pools, for authorizing the replacement of wetlands with lakes and ponds, for deregulating buffer zones, and for reducing home rule.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB394 -Sen. Petruccelli, Anthony (D) - An Act to revitalize the Commonwealth's waterfronts

Sponsor: Sen. Petruccelli, Anthony (D)

Cosponsors: No Cosponsors

Refiles: SB371 (2011-2012)

Summary: Amends G.L. 91:14 to include as proper public purpose for the granting of a license for construction over tidewater by the department of environmental protection provision of public access to the water, provision of facilities supporting maritime commerce, revitalization of underutilized waterfront properties and promotion of regional and local commerce, employment, economic development, community renewal and other community or maritime uses; requires the license to specify that the interior use of buildings be consistent with local zoning codes and bylaws; requires the ground floor of any new structure to be designed and constructed to accommodate uses accessible to the public; authorizes alternative measures funded or otherwise taken by a licensee to provide water dependent uses accessible to the public elsewhere in the harbor or otherwise in the vicinity of the licensed premises to satisfy the requirements set forth herein; directs the department to promulgate regulations implementing these provisions.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB403 -Sen. Tarr, Bruce (R) - An Act to restore the public trust for tidelands

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Ferrante, Ann-Margaret (D)

Refiles: SB390 (2011-2012)

Summary: Adds new section 64 to G.L. 91, the statute governing Waterways, to give exclusive authority to the department of environmental protection to review and grant applications for tidelands licenses; prohibits another agency from being delegated or from assuming such authority without express legislative approval.

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB406 -Sen. Tarr, Bruce (R) - An Act to promote the viability and sustainability of commercial fisheries in the Commonwealth

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Cabral, Antonio (D); Rep. Cantwell, James (D); Rep. Ferrante, Ann-Margaret (D)

Refiles: SB389 (2011-2012)

Summary: Authorizes the issuance of up to \$20,000,000 in bonds, designated as the Fisheries Sustainability Act of 2011; provides that the Seaport Advisory Council, in conjunction with the Division of Marine Fisheries, administer a program of grants, low-interest loans or other financial assistance, funded by the sale of said bonds, for the purpose of facilitating the continued economic viability of the commercial fishing industry of the Commonwealth; enumerates the types of acquisitions, upgrades and maintenance of commercial fishing vehicles that would be eligible for the program, including electronic Vessel Monitoring Systems, durable safety

Status: equipment and the development of fishing gear and technology to promote sustainable fishing.
Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB407 -Sen. Tarr, Bruce (R) - An Act relative to the creation of a special commission on coastal erosion

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Cantwell, James (D)

Summary: Creates a Special Commission on Coastal Erosion Defense, which is to study coastal erosion in the Commonwealth, and develop a strategy and recommendations to reduce, minimize or eliminate the magnitude and frequency of coastal erosion and its adverse impacts.

Status: Reported favorably by Joint Committee (REP/J)

SB408 -Sen. Tarr, Bruce (R) - An Act providing for alternative DPA compliance

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Ferrante, Ann-Margaret (D)

Summary: Establishes a special Waterfront Development Oversight Commission to comment on and approve all requests from municipalities for proposals to develop and built in Designated Port Areas. The Commission must develop criteria for applicants to seek alternative compliance with the laws and regulations governing Designated Port Authorities; these criteria are not allow for the approval of any project that in the opinion of the Commission "undermines the integrity of our environment."

Status: Joint Committee on Environment, Natural Resources and Agriculture (JEN)

SB409 -Sen. Tarr, Bruce (R) - An Act creating uniform beach warnings

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: No Cosponsors

Summary: Adds provisions to GL c.91 (Waterways) by requiring the creation of a uniform warning and safety flag program at public beaches along the coast of the Commonwealth, providing for a uniform size, shape, color and definition for each warning and safety flag.

Status: Senate Committee on Ways and Means (SWM)

SB412 -Sen. Timilty, James (D) - An Act protecting the legal harvest of striped bass

Sponsor: Sen. Timilty, James (D)

Cosponsors: No Cosponsors

Summary: Directs the Marine Fisheries Division to adopt the recommendations made by the Interstate Watershed Task Force and the Atlantic State Marine Fisheries Commission Law Enforcement Committee to implement a striped bass commercial tagging program at the point of harvest. No general or special laws cited.

Status: Attached to favorable report by Joint Committee

SB413 -Sen. Timilty, James (D) - An Act relative to the conservation of striped bass

Sponsor: Sen. Timilty, James (D)

Cosponsors: No Cosponsors

Summary: Amends GL 130:100A relative to striped bass regulations for marine fish and fisheries by prohibiting new commercial fishermen from fishing for striped bass while grandfathering in certain existing fishermen. It does this by first prohibiting the commercial harvesting and sale of wild striped bass except for those owning commercial licenses on December 31, 2012 who can historically demonstrate over the preceding 5 years that they have averaged an annual landing and sale of more than 1000 pounds of striped bass , and second, by requiring that all aquaculture raised striped bass bear the tag of the grower or distributor of the fish; violations are to be punished by a fine of not less than \$200 for each fish taken or possessed for the first violation, \$500 for second violations and \$1000 for subsequent violations; adds new provisions that do allow commercial harvesting and sale of wild striped bass for individuals. Recreational angling is still permitted; certain hardship provisions are also enacted for somewhat smaller commercial fishermen wishing to be grandfathered in.

Status: Attached to favorable report by Joint Committee

SB926 -Sen. Candaras, Gale (D) - An Act relative to local licenses and permits

Sponsor: Sen. Candaras, Gale (D)

Cosponsors: Rep. Ashe, Brian (D); Rep. Puppolo, Jr., Angelo (D)

Summary: Reduces from 12 to 6 months the period of time during which a person or entity must be delinquent on local taxes, fees, assessments, betterments or any other municipal charges to be included on a list compiled by the municipal tax collector, which shall be forwarded to all licensing authorities in that municipality; a licensing authority may deny any application for a license or renewal or transfer thereof, or revoke or suspend a building permit of any applicant on the list due to such nonpayment; and this authority is available only to those tax collectors and licensing authorities in municipalities that have voted to accept the provisions of this law.

Status: Joint Committee on Municipalities and Regional Government (JMR)

SB980 -Sen. Wolf, Daniel (D) - An Act creating the Cape and Islands Property Insurance Commission

Sponsor: Sen. Wolf, Daniel (D)

Cosponsors: Rep. Turner, Cleon (D)

Summary: Establishes a special commission to review: (1) a cost-benefit analysis of a county-managed property insurance office for property owners in Barnstable, Dukes and Nantucket counties; (2) the legal and regulatory changes needed to create a county property insurance entity; and (3) past and future property insurance pricing; and the Commissions report and any recommendations must be filed by May 1, 2014.

Status: Senate Committee on Ethics and Rules (SER)

SB983 -Sen. Wolf, Daniel (D) - An Act relative to the maintenance of private roads, beaches and amenities in municipalities

Sponsor: Sen. Wolf, Daniel (D)

Cosponsors: Rep. Turner, Cleon (D)

Summary: Articulates definition of proprietor, rightful occupant, and other common amenity; requires obligations imposed by recorded documents shall impose a servitude on the occupants or property owners of a private property as long as said property requires maintenance; authorizes proprietors and rightful occupants subject to a servitude shall have the power to create an association of property owners if no document has been recorded regulating the care and maintenance of a private property for determining such maintenance and contributions; regulates the composition and powers of said association.

Status: Reported favorably by Joint Committee (REP/J)

SB1341 -Sen. Hedlund, Robert (R) - An Act repealing the sales tax on boats built or rebuilt in the Commonwealth

Sponsor: Sen. Hedlund, Robert (R)

Cosponsors: Rep. Cantwell, James (D); Rep. Murphy, James (D); Sen. Tarr, Bruce (R)

Refiles: HB754 (2011-2012)

Summary: Amends GL 64H:6 to exempt the sale of boats built or rebuilt and delivered in Massachusetts by Massachusetts craftsmen from the sales tax.

Status: Joint Committee on Revenue (JRV)

SB1440 -Sen. Tarr, Bruce (R) - An Act to support commercial fishing

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Ferrante, Ann-Margaret (D); Sen. Hedlund, Robert (R)

Summary: Amends GL 64H:6 relative to sales tax exemptions by including repairs of fishing equipment as well as nets, dredges, lines, hooks, traps, wires, and any components thereof, and any fish or natural or artificial material to be utilized as bait as part of the exemptions provided in the commercial fishing industry.

Status: Joint Committee on Revenue (JRV)

SB1452 -Sen. Timilty, James (D) - Resolve to study revenue loss in the Commonwealth

Sponsor: Sen. Timilty, James (D)

Cosponsors: Sen. McGee, Thomas (D)

Summary: Resolves that the Department of Revenue, in conjunction with the Joint Committee on Revenue, conduct a study of the decline of the recreational fishery with particular emphasis on the striped bass and the concurrent impact on the revenues of the Commonwealth.

Status: Joint Committee on Revenue (JRV)

SB1488 (Chapter 169 of 2013) -Former Sen. Hart, Jack (D) - An Act to clarify the joint use and operation of Spectacle Island

Sponsor: Former Sen. Hart, Jack (D)

Cosponsors: Rep. Basile, Carlo (D)

Summary: Establishes Spectacle Island Park as a public park, to be jointly operated and managed by DCR and the city of Boston.

Status: Signed by the Governor (SIGNED)

SB1591 -Sen. Finegold, Barry (D) - An Act relative to comprehensive siting reform for land based wind projects

Sponsor: Sen. Finegold, Barry (D)

Cosponsors: Rep. Devers, Marcos (D); Sen. Eldridge, James (D)

Refiles: SB1666 (2011-2012)

Summary: Articulates the public purposes of the act as follows: to encourage the development of clean, renewable, electric generating plants and ancillary facilities powered by wind, to ensure that such facilities are sited in appropriate locations based on clear, predictable and protective environmental, cultural and historic resource standards and to streamline the permitting of such facilities at the state and local level and reduce delays associated with appeals of such permits; creates an entire new chapter entitled Wind Energy Permitting which does the following: regulates the creation of new wind energy facilities through the Department of Energy Resources via wind energy permitting boards created by local municipalities which are identified as containing a significant wind resource area; regulates permit approval and building decisions which shall be approved by the local wind energy permitting boards and non-specified regional planning agencies in consultation with other local boards; articulates additional powers and responsibilities of aforementioned boards; regulates responsibilities of any applicant including the payment of a community mitigation fee and also a required offer to the host municipality, or its designee, for the option of entering into a legally enforceable purchase and sale agreement for not more than 10% of the electricity generated on site for use by the host municipality or its designee; amends the duties of the energy facilities siting board within said department; promulgates rules and regulations under Chapter 164 related to standards created by the energy facilities siting board for expedited permitting for land-based siting, operation and decommissioning of wind energy facilities; directs said board shall create an advisory group, who shall share money and resources with said board, to develop recommended standards under the direction of the chair of said board; articulates application procedures and processes for a person proposing to construct a wind energy facility with a capacity of at least 2 megawatts or related test towers who also qualifies for expedited permitting; further regulates duties of the energy facilities siting board as related to considerations for review and approval of any permit and building site or facility standards, fees for application of said permits and their allocation to various state agencies or retainment by said board, and the conducting of a public hearing within 60 days of the notice of a complete application being delivered.

Status: Joint Committee on Telecommunications, Utilities and Energy (JTU)

SB1670 -Sen. Keenan, John (D) - An Act relative to the transfer of boat registration between family members

Sponsor: Sen. Keenan, John (D)

Cosponsors: No Cosponsors

Refiles: SB1756 (2011-2012)

Summary: Allows for the previous certificate of number to be kept at the request of the new owner of the motorboat, when the change of ownership of said motorboat is between two family members.

Status: Reported favorably by Joint Committee (REP/J)

SB1714 -Sen. Tarr, Bruce (R) - An Act relative to boat registration

Sponsor: Sen. Tarr, Bruce (R)

Cosponsors: Rep. Ferrante, Ann-Margaret (D); Rep. Sannicandro, Tom (D); Sen. Hedlund, Robert (R)

Summary: Requires the owner of a boat which has a valid marine document issued by the U.S. Customs Bureau and is homeported in the Commonwealth must apply for a registration decal; the decal must be displayed so as to be visible to any law enforcement officer.

Status: Joint Committee on Transportation (JTR)