

CITY OF NEWTON

IN BOARD OF ALDERMEN

PROGRAMS AND SERVICES COMMITTEE AGENDA

WEDNESDAY, JUNE 6, 2007

**NOTE LATE START TIME**

**8:00 p.m.**

Room 222

City Hall

**ITEMS TO BE DISCUSSED:**

**REFERRED TO PROGRAMS AND SERVICES COMMITTEE**

Re-appointment by His Honor the Mayor

#181-07      DAVID J. MOFENSON, 6 Alban Road, Waban, re-appointed as an Election Commissioner for a term expiring April 1, 2011 (60 days 8-3-07) [05-17-07 @2:48pm]

Re-appointment by His Honor the Mayor

#182-07      FRANCES E. SHAER, 280 Boylston Street, Chestnut Hill, re-appointed as an Election Commissioner for a term expiring April 1, 2011(60 days 8-3-07). [05-17-07 @2:48pm]

Re-appointment by His Honor the Mayor

#183-07      JOHN RICE, 9 Selden Street, Waban, re-appointed as a member of the Newton Child Care Commission for a term to expire on January 1, 2009. (60 days 8-3-07) [04-21-07 @3:12pm]

Re-appointment by His Honor the Mayor

#184-07      KATHERINE DONOVAN, 46 Oakland Avenue, Auburndale, re-appointed as a member of the Newton Child Care Commission for a term to expire on January 1, 2009. (60 days 8-3-07) [05-21-07 @3:12pm]

Re-appointment by His Honor the Mayor

#185-07      KATEY GROSSMAN, 47 Brookline Street, Chestnut Hill, re-appointed as a member of the Newton Child Care Commission for a term to expire on January 1, 2009. (60 days 8-3-07) [05-21-07 @3:12pm]

Re-appointment by His Honor the Mayor

#186-07      MELISSA HANENBERGER, 56 Valentine Street, West Newton, re-appointed as a member of the Newton Child Care Commission for a term to expire on January 1, 2009. (60 days 8-3-07) [05-21-07 @3:13pm]

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #193-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$25,000 from Budget Reserve for the purpose of supplementing the Law Department FY07 salary account. [05-29-07 @ 4:54 PM]
- #94-07 ALD. LINSKY, BURG, SANGIOLO, HESS-MAHAN, DANBERG, AND SALVUCCI requesting (a) a public informational hearing relative to safety and health concerns raised in respect to the proposed level 4 bio lab to be located at Boston University in conjunction with the city's prior request and present court mandate for further environmental impact review of the project and (b) consideration of the Board of Aldermen taking a public position on the project. [3-27-07 @ 5:55 PM]
- #437-05 ALLAN CICCONE, 22 West Street, Newton, requesting the Board of Aldermen file a home rule petition amending the Charter re filling vacancies on the Board of Aldermen and School Committee so if an alderman or school committee member resigns or dies while in office, the runner up to that person in the last election would fill that vacancy. If there is no runner up for this person the Mayor, with the approval of the Board of Aldermen, would appoint a citizen in that district to fill that vacancy.

*Note: There will be a public meeting on the following item:*

- #108-06 ALDERMEN LIPOF, VANCE, HESS-MAHAN, LENNON, LAPPIN, SCHNIPPER, HARNEY, WEISBUCH, PARKER, AND SANGIOLO requesting that the Board of Aldermen and His Honor the Mayor submit a Home Rule Petition to the Legislature seeking approval by the Legislature of an amendment of the charter of the City of Newton reducing the number of aldermen by at least seven, the exact number and composition of the Board specified in such petition to be determined through discussion and vote by the members of the Board.

**REFERRED TO PROGRAMS AND SERVICES AND FINANCE COMMITTEES**

- #174-07 ALD. PARKER requesting a RESOLUTION to the state legislature in support of Governor Patrick's Municipal Partnership Act. [05-09-07 @ 11:56AM]

**ITEMS NOT YET SCHEDULED FOR DISCUSSION:**

#109-06 ALD. PARKER proposing charter amendments to improve the operation and accountability of City government.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#86-07 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$2,300,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School.  
[03-13-07 @ 7:04 PM]

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

#83-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to adopt the proportion of Governors Municipal Partnership that would allow the City to reduce employee health insurance costs by joining the Group Insurance Commission.  
[02-27-07 @ 10:21PM]

#82-07 ALD. YATES requesting that the City of Newton take all possible steps to persuade the General Court to allow the cities and towns to tax all telecommunications facilities in the City (which would yield at least \$1.6 million per year for Newton). [02-27-07 @ 10:21pm]

#52-07 ALD. PARKER, SANGIOLO, MANSFIELD, HARNEY, DANBERG, VANCE, LINSKY, HESS-MAHAN, BURG, ALBRIGHT & JOHNSON requesting an ordinance amendment to create a health care advisory committee whose function would be to recommend measures to control the rate of increase of health insurance costs, as recommended by the Newton Finance & Management Working Group in 2005 and the Blue Ribbon Commission on the Municipal Budget in 2007. [02-09-07 @ 12:36 pm]

**REFERRED TO PROGAMS & SERVICES AND FINANCE COMMITTEES**

#36-07 ALD. JOHNSON, LINSKY, VANCE, SANGIOLO, HESS-MAHAN, ALBRIGHT, FISCHMAN, MANSFIELD, LIPOF, LAPPIN, BURG, PARKER, & DANBERG proposing the use of general overrides and/or debt exclusions of Proposition 2 ½ limits in addition to other revenue enhancing or cost saving measures as proposed by the *Blue Ribbon Commission* to close the gap between revenue and expenses and enhance the City's ability to invest in annual capital maintenance requirements.  
[02-13-07 @ 8:57 am]

- #242-05 ALD. SANGIOLO requesting the Executive Department and IT Departments post all city board and commission meeting agendas and minutes on to the City Website

**REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES  
& FINANCE COMMITTEES**

- #357-06 ALD. COLETTI, PARKER, ALBRIGHT, LINSKY, JOHNSON, MANSFIELD, SANGIOLO, & HARNEY requesting discussion with School Building Assistance Bureau representatives regarding factors affecting state reimbursement for Newton school projects, including Newton North High School  
**Public Facilities NAN 7-0 (Weisbuch not voting)**

**REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES,  
AND FINANCE COMMITTEES**

- #379-06 ALD. BAKER, SCHNIPPER, HESS-MAHAN & VANCE requesting a report from the Executive Department and City Comptroller on state reimbursement and loan subsidies available for Newton School projects, including Newton North High School, as well as how best to ask for further clarification, as desired, from staff of the Massachusetts School Building Authority as to such issues as timing, amount and conditions of such funding.  
**Public Facilities NAN 7-0 (Weisbuch not voting)**

**REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES,  
AND FINANCE COMMITTEES**

- #309-01 ALD. PARKER requesting increase in the income eligibility level of the 30% water/sewer discount for low-income senior citizens.
- #370-06 ALD. SANGIOLO, PARKER, MANSFIELD requesting home rule legislation to allow advisory questions to be asked in a Newton special election.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #224-06(4) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$30,000 from Budget Reserve for the purpose of supplementing the salary account of the Election Department to compensate Mr. Peter Koutoujian for his service as temporary Acting Department Head.  
**Programs & Services approved as amended @ \$15,000 (224-06(4A)) and held \$15,000 (224-06(4B)) on 10/18/06, Finance approved as amended @ \$15,000 (224-06(4A)) and held \$15,000(224-06(4B)) on 10/23/06, Board Approved as amended @ \$15,000 on 11/6/06**

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #267-06(3) ALD. PARKER, BURG, LINSKY, FISCHMAN, HESS-MAHAN, VANCE, HARNEY, JOHNSON, & DANBERG proposing Home Rule

Legislation authorizing the City of Newton to apply the ordinance proposed in item #267-06(2) to assets held by the City's retirement system.

**REFERRED TO PROGRAMS & SERVICES, PUBLIC FACILITIES,  
AND FINANCE COMMITTEES**

- #276-06(2) HIS HONOR THE MAYOR requesting an appropriation in the amount of \$1,800,000 from bonded indebtedness for the purpose of funding the construction of a new synthetic turf recreation complex at Newton South High School (these funds will supplement the requested CPA funds for this project under item #276-06).

**REFERRED TO FINANCE AND PROGRAMS & SERVICES COMMITTEES**

- #245-06 ALD. JOHNSON AND HESS-MAHAN requesting an amendment to the City Charter to require the Mayor annually to prepare and submit to the Board of Aldermen a long-term financial forecast of anticipated revenue, expenditures and the general financial condition of the City, including, but not limited to identification of any factors which will affect the financial condition of the City; projected revenue and expenditure trends; potential sources of new or expanded revenues; anticipated municipal needs likely to require major expenditures; and a strategic plan for meeting anticipated municipal needs, to include, but not be limited to, any long or short-term actions that may be taken to enhance the financial condition of the City.
- #329-05 ALD. JOHNSON & ALD. ALBRIGHT requesting that the **Noise Ordinance** be revised and updated to better reflect the noise problem being faced by the City.
- #242-03 ALD. JOHNSON, SAMUELSON AND SANGIOLO requesting a discussion to determine times and places where dogs may be off leash on public grounds excluding schoolyards.
- #346-99 ALD. SANGIOLO requesting creation of an ordinance that would prohibit dogs (leashed or unleashed) from all elementary school playgrounds.

**REFERRED TO PROGRAMS & SERVICES AND FINANCE COMMITTEES**

- #460-06 HIS HONOR THE MAYOR requesting an appropriation in the amount of \$210,000 from bonded indebtedness for the purpose of purchasing heavy equipment and heavy duty trucks for the Parks and Recreation Department. [11-28-06@4:29 PM]

Respectfully submitted,

Marcia Johnson, Chair



## The Lure of Bio-Weapons

By Bernard Lown and Prasannan Parthasarathi  
The Boston Globe

Wednesday 23 February 2005

Boston has long been a world leader in medical research -- home to seminal discoveries that have cured lethal diseases, prolonged life, and revolutionized the very practice of medicine. But Boston University's plan to construct a high security laboratory known as BioSafety Level Four will diverge from that tradition. By undertaking research on biological weapons, the lab will be a source of new and highly dangerous pathogens.

Supporters of the laboratory argue that its activities will be devoted exclusively to defensive research on biological weapons. The Pentagon has stated that its goal is to develop genetically engineered biological weapons in order to discover defenses against them. These inevitably will have offensive capabilities.

Testimony before the South African Truth and Reconciliation Commission exposed the porous boundary between offensive and defensive biological weapons research. During the apartheid era, leading physicians and scientists were persuaded to join a burgeoning biological weapons program on the grounds that they were undertaking only defensive research. In top-secret laboratories, the government also funded research on biological weapons for offensive purposes. The findings of the so-called defensive laboratories were channeled to the scientists doing the dirty work.

Security from the threat of biological weapons depends on sound international agreements to ban such weapons along with enforceable mechanisms for monitoring and compliance. Indeed President Nixon in 1969 unilaterally and unconditionally renounced biological weapons and scrapped the US research program on the grounds that "mankind already carries in its hands too many of the seeds of its own destruction."

Six years later under US leadership, the Biological Weapons Convention, a landmark among weapons control treaties, was ratified by more than 145 countries. Such wisdom is no longer in evidence.

The irony is that the US government is now heading in the opposite direction.

The widely recognized weakness of the Biological Weapons Convention in preventing proliferation led in 1995 to negotiations for a new protocol.

After several years of intense international talks, a new strengthened protocol was agreed upon, but the Bush administration rejected a binding treaty approach and ended the negotiations.

This unilateral action has been interpreted as an abrogation of the treaty and as a prelude to a US secret research program on offensive bio-weapons. National security is to be achieved through military superiority and technological dominance.

A key lesson of the tragic 9/11 experience is thereby forgotten. All the advanced offensive weapons the Pentagon had amassed, at a cost of many trillions of dollars, were overcome by terrorists armed with simple box cutters. Also forgotten is that the first significant bio-terror attack in the United States likely emerged from a weapons facility such as the one now being planned in Boston. There is ample evidence that the anthrax in the letters mailed to Congress and elsewhere came from the Army biological weapons laboratory at Fort Detrick, Md.

The unilateralist policies being now pursued by our government will surely unleash global proliferation. Are we ready to become accomplices in a sordid biological weapons race? Are we willing thereby to tarnish the good name of our city?

-----

*Bernard Lown, who received the Nobel Peace Prize in 1985, is professor emeritus at the Harvard School*

*of Public Health. Prasannan Parthasarathi is associate professor of history at Boston College.*



## RESOLUTION

- WHEREAS: The City of Newton has been vigilant in its efforts to protect its citizens from the risks of classified and dangerous research; and
- WHEREAS: Boston University is planning to build a BioSafety Level 4 laboratory in a densely populated area of Boston that may involve secret, bioweapons research on incurable diseases such as ebola and other hemorrhagic fevers; and
- WHEREAS: The dangers involved in this laboratory could disasterously affect residents in Newton, as well as residents of the immediately adjacent Roxbury/South End neighborhood, through the accidental release of deadly air-borne substances; contact with infected laboratory workers who reside in our community; or the laboratory becoming the target of a terrorist attack; and
- WHEREAS: State Superior Court Judge Gants has vacated the Final Environmental Impact Review of the BSL4 laboratory by Boston University finding it “arbitrary and capricious” and ordered that additional environmental reviews be carried out to provide an adequate analysis of ‘worst case scenarios” and the comparative risks of placing the lab in an alternative, less populated, site; and
- WHEREAS: The City of Newton, by letter of November 3, 2004, had requested further environmental impact review by the MA Secretary of Environmental Affairs; and
- WHEREAS: Boston University and the National Institutes of Health, in response to a motion for a preliminary injunction, committed themselves to developing a plan to improve community input and involvement, including in respect to DNA research protocols and limitations on such work; and be it further
- RESOLVED: That the Newton Board of Aldermen contact the Director of the National Institutes of Health and urge a halt to the construction of the level 4 bio laboratory at Boston University until the successful completion of all required environmental impact reviews; and be it further
- RESOLVED: That the Board of Aldermen is in principle opposed to the construction of BSL4 laboratories in densely populated areas; and be it further
- RESOLVED: That, for the purpose of educating Newton residents about this issue, the Board of Aldermen invite all involved parties

including NIH, BU, Roxbury Safety Net, Greater Boston STOP the bio-terror lab Coalition, to participate in a public meeting in Newton to assess the risk associated with the construction of the proposed laboratory; and be it further

RESOLVED: That the Newton Board of Aldermen notify the National Institute of Allergy and Infectious Diseases (NIAID) Director Anthony Fauci, Governor Deval Patrick, Congressman Barney Frank, Senators Kennedy and Kerry, the Massachusetts congressional delegation, its state legislative delegation, Mayor Menino and the Boston City Council of the above actions.

City of Newton

David B. Cohen  
MayorHEALTH AND HUMAN SERVICES DEPARTMENT  
J. David Naparstek, Commissioner  
1294 Centre Street  
Newton, MA 02459-154494-07  
Telephone  
(617) 796-1420  
Fax  
(617) 552-7063

## FAX TRANSMISSION

TO: ALD. STEPHEN LINSKY

DATE: 3-13-07

FAX#: 617-663-6650

RE: Beesquare Committee

FROM: J. David Naparstek, Commissioner of Health and Human Services

FAX#: (617) 552-7063

NUMBER OF PAGES IN THIS TRANSMISSION INCLUDING THIS SHEET:

3

## NOTE:

*My time frame is off - we met with the Mayor  
in October of 2004.*

*David*

CALL 617-796-1420 IF YOU EXPERIENCE DIFFICULTIES WITH THIS TRANSMISSION

This transmittal is intended only for the use of the individual or entity to which it is addressed, and may contain information that is privileged, confidential and exempt from disclosure under applicable law. If the reader of this transmittal is not the intended recipient, you are hereby notified that any dissemination, distribution, or copying of this communication is strictly prohibited. If you have received this communication in error, please notify us immediately by telephone, and return the original message to us at the letterhead address. Thank you.

Email: [dnaparstek@newtonma.gov](mailto:dnaparstek@newtonma.gov)

V. IYAPARJEEK  
HEALTH DEPT



David B. Cohen  
Mayor

## CITY OF NEWTON, MASSACHUSETTS

Department of Planning and Development  
Michael J. Kruse, Director

Telephone  
(617)-796-1120

Telefax  
(617) 796-1142

E-mail  
mktusc@ci.newton.ma.us

November 5, 2004

Secretary Ellen Roy Herzfelder  
EOEA, Attn: MEPA Office  
Commonwealth of Massachusetts  
100 Cambridge Street, Suite 900  
Boston, MA 02114

Director Mark Maloney  
Boston Redevelopment Authority  
One City Hall Square, 9<sup>th</sup> Floor  
Boston, MA 02201

**Re: BioSquare Phase II, EOEA No. 12021**

Dear Secretary Herzfelder and Director Maloney:

This letter responds to your requests for comments regarding University Associates Limited Partnership's proposal for "BioSquare Phase II," and the proponent's proposal to locate and operate a Biosafety Level 4 Laboratory (BSL-4) in Boston's South End. Such laboratories raise unique safety, health, and environmental issues for the entire metropolitan region.

The City of Newton has the following concerns:

- **The proponent should revise the FPIR/FEIR to further elaborate on the amounts of agents, including Anthrax, Plague, Ebola, and Smallpox, to be stored on-site and limits should be set and monitored.** This would be the first BSL-4 lab to be built in a densely populated urban area. Although high level safety and security procedures are proposed to be installed in the facility, accidents of an unknown magnitude are possible. Releases could occur through many means and consequences could be deadly. The lab could be a potential target for terrorists, and transportation of pathogens and/or waste to and from the site pose a risk for the entire metropolitan region.
- **The proponent should revise the FPIR/FEIR to further analyze the potential benefits and impacts of the proposed lab, how this lab will be monitored, and if there is room for community oversight of research conducted in the lab.** The lab may not be operated in an open and transparent manner with a public health agenda. For twenty (20) years the federal government can mandate the research to be conducted in the lab and require classified research, thus preventing any state or local oversight. There should be clearly stated public benefits that outweigh the potential negative impacts to this project, and potential secrecy and lack of oversight may prevent this from occurring. On-going communications with neighboring communities about risk factors

94-07

and appropriate response measures is critically important in case of accidental or intentional release. Additionally, we would expect that permanent limits be placed on the level of risk in this facility.

- **Further discussion of the regional impact of a release and "worst-case scenarios" should be included in the FPIR/FEIR.** The safety of the region should not be compromised to construct a BSL-4 laboratory. Policies and procedures on a regional level to respond to a potential release of a deadly agent have not been addressed in the FPIR/FEIR. The proponent should be expected to present further analysis regarding the potential release of any hazardous agent in a "worse-case" scenario. Water contamination, hijacking of transportation or waste disposal vehicles, animal carcass disposition, or losses of the laboratory's containment systems also represent potential scenarios that should be further analyzed, as they represent a concern to the City of Newton. The FPIR/FEIR should be revised to describe evacuation strategies and the chain of command on a regional level, and to explain how regional roads, hospitals, and airports would be affected in the event of an emergency.
- **Emergency evacuation of the building should be discussed in the FPIR/FEIR.** In the event of an emergency, there may not be adequate time for the evacuation and/or proper decontamination of employees. The FPIR/FEIR should be revised to analyze how an emergency evacuation could take place expediently to ensure employee safety, and how such an evacuation would affect surrounding communities.

In light of these concerns, the City of Newton respectfully recommends that the Executive Office of Environmental Affairs and the Boston Redevelopment Authority require the proponent to prepare a revised final FPIR/FEIR with additional analyses that are responsive to the issues articulated above.

Finally, should this project be approved we urge the creation of an independent community oversight group to monitor all aspects of construction and ongoing facilities management to include Fire and Public Health officials from neighboring communities. Thank you for your consideration.

Sincerely,



Michael Kruse, Director

Cc: Mayor David B. Cohen  
R. Lisle Baker, President, Board of Aldermen  
✓ David Naparstek, Newton Commissioner of Public Health  
Joseph LaCroix, Newton Fire Chief  
Joseph A. Russo, Boston Redevelopment Authority  
William Gage, Massachusetts Environmental Policy Act Office  
Susan St. Pierre, Fort Point Associates, Inc.

**HOUSE . . . . . No. 2097**

---

---

The Commonwealth of Massachusetts

PETITION OF:

Gloria L. Fox	Matthew C.
Jarrett T. Barrios	Patrick
Byron Rushing	Peter V. Kocot
Willie Mae Allen	Steven J. D'Amico
Benjamin Swan	Alice K. Wolf
William Lantigua	Douglas W.
Elizabeth A. Malia	Petersen
William N.	Patricia D. Jehlen
Brownsberger	Dianne Wilkerson
Linda Dorcena	J. James Marzilli,
Forry	Jr.
Denise Provost	Carl M. Sciortino,
Timothy J.	Jr.
Toomey, Jr.	Martha M. Walz
Barbara A.	Jennifer M.
L'Italien	Callahan
Anthony J. Verga	

In the Year Two Thousand and Seven.

---

AN ACT PROMOTING RESEARCH AND PROTECTING PUBLIC

## SAFETY AND ENVIRONMENT.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

SECTION 1. Chapter 17 of the General Laws, as appearing in the 2004 official edition is hereby amended by inserting after section 17 the following:-

## Section 18. Biological Agents Registry Program

(a) Definitions. As used in this section the following words shall have the following meanings:

“Biological agent,” any microorganism (including bacteria, virus, fungus, and protozoa), or infectious substance, or any naturally occurring, bioengineered, or synthesized component of any such microorganism or infectious substance, capable of causing: death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism; deterioration of food, water, equipment, supplies, or material of any kind; or deleterious alteration of the environment.

“Department,” the Department of Public Health.

“Person,” any state, public, or private corporation or authority, any individual, trust, firm, joint stock

company, partnership, association, or other entity, or any group thereof, and any officer, employee, or agent of such person, any group of persons, and any agency or political subdivision of the Commonwealth or of the federal government.

“Program,” the Biological Agents Registry Program.

“Select Agents and Toxins” a biological agent or toxin as defined in Title 42, Part 73 of the Code of Federal Regulations, Title 9, Part 121 of the Code of Federal Regulations, or Title 7, Part 331 of the Code of Federal Regulations.

“Toxin,” any toxic material or product of plants, animals, microorganisms (including bacteria, virus, fungus, rickettsiae, or protozoa), or infectious substance, or a recombinant or synthesized molecule, whatever their origin and method of production, and includes: any poisonous substance or biological product that may be engineered as a result of biotechnology produced by a living organism; or any poisonous isomer or biological product, homolog, or derivative of such a substance.

(b) There is established in the department a Biological Agents Registry Program.

(c) The Biological Agents Registry shall:

(1) Identify the select agents and toxins, and other biological agents and toxins, as determined by the



department, possessed and maintained by any person in the Commonwealth; and

- (2) Contain other information as required by regulations of the department.
- (d) The department shall adopt regulations for the implementation of the program that:
- (1) Determine and list the biological agents and toxins required to be reported under this section, which shall include:
    - i. All select agents and toxins, provided that the department may exempt select agents and toxins that Title 42, Part 72 or 73 of the Code of Federal Regulations, Title 9, Part 121 of the Code of Federal Regulation, or Title 7, Part 331 of the Code of Federal Regulations exempt from their provisions; and
    - ii. Other biological agents and toxins as determined by the department.
  - (2) Designate the persons required to make reports and the specific information required to be reported;
  - (3) Designate time limits for reporting, the form of reports, and the persons to whom reports are to be submitted;

- (4) Require local boards of health to be informed of the location and nature of the biological agents and toxins in the registry that are located within the local jurisdiction;
- (5) Provide for the release of information in the Biological Agents Registry to:
- i. Municipal, state and federal law enforcement agencies and the Centers for Disease Control and Prevention pursuant to a communicable disease or laboratory-acquired infection investigation commenced or conducted by the department or municipal, state, or federal law enforcement agency having investigatory authority, or in connection with any investigation involving a release, spread, theft, illicit sale, or loss of biological agents;
  - ii. The Massachusetts emergency management agency and the Massachusetts department of the environmental protection for the purposes of planning for the protection of the public in relation to the release of a biological agent and the prevention of a release of a biological agent; and
  - iii. The Massachusetts emergency medical services system for the purposes of providing certain specified information to:

- (A) A police officer or firefighter responding to an emergency; and
  - (B) An emergency medical services provider performing emergency services responding to a fire or other emergency, or dispatched on a call for emergency services;
- (6) Establish a process for persons that possess and maintain select agents and toxins and other biological agents and toxins to alert appropriate authorities of unauthorized possession or attempted possession of such biological agents or toxins.
- (e) A person that possesses and maintains biological agents and toxins shall report to the department the information required by the department for inclusion in the Biological Agents Registry unless the department determines that the select agents and toxins, certified laboratory, or facility is exempt from the requirements for the interstate shipment of etiologic agents under Title 42, Part 72.6(h) or Part 72, Appendix A of the Code of Federal Regulations.
  - (f) Information prepared for or maintained in the Biological Agents Registry shall be subject to chapter 66 of the General Laws, provided that information released from the Registry is not consequently a public record and a person to whom information has

been released from the Registry may not release the information unless such release is approved by the department.

- (g) A person who violates a provision of this section is guilty of a misdemeanor and on conviction is subject to a fine not exceeding \$1000 for the first offense and not exceeding \$5000 for each subsequent conviction for a violation of the same provision. Each day a violation is continued after the first conviction is a subsequent offense.

#### Section 19. High Containment Biological Research Laboratory Health and Safety Program

- (a) Definitions. As used in this section the following words shall have the following meanings:

“Biological agent,” any microorganism (including bacteria, virus, fungus, and protozoa), or infectious substance, or any naturally occurring, bioengineered, or synthesized component of any such microorganism or infectious substance, capable of causing: death, disease, or other biological malfunction in a human, an animal, a plant, or another living organism; deterioration of food, water, equipment, supplies, or material of any kind; or deleterious alteration of the environment.

“Biosafety in Microbiological and Biomedical Laboratories” or “BMBL,” a publication that lists the

standards and special microbiological practices, safety equipment and facilities constituting Biosafety Levels 1-4, most recent edition, published by the United States Department of Health and Human Services, Public Health Service, the Centers for Disease Control and Prevention and the National Institutes of Health. If the publication is discontinued, the most recent edition shall remain in effect as thereafter modified from time to time by regulation of the department.

“Biosafety Level 3 laboratory” or “BSL3 laboratory,” a laboratory that is designed, equipped, or operated as a biosafety level 3 laboratory as defined by the United States National Institutes of Health Guidelines for Research Involving Recombinant DNA Molecules (NIH Guidelines).

“Biosafety Level 4 laboratory” or “BSL4 laboratory,” a laboratory that is designed, equipped, or operated as a biosafety level 4 laboratory as defined by the United States National Institutes of Health Guidelines for Research Involving Recombinant DNA Molecules (NIH Guidelines).

“Department,” the Department of Public Health.

“Facility,” a building or combination of buildings under common control and ownership containing one or more laboratories subject to a common Institutional Biosafety Committee.

“High Containment Biological Research Laboratory,” a BSL3 or BSL4 laboratory.

“Laboratory,” a room or rooms that are used primarily for biological research, development, non-routine testing, or experimentation activity, or any room or rooms where vertebrate animals are contained under animal biosafety levels three and four as described in NIH Guidelines/BMBL Section IV. The word “laboratory” shall also include those rooms that directly serve a laboratory and are within the containment area.

“National Institutes of Health Guidelines” or “NIH Guidelines,” the National Institutes of Health Guidelines for Research Involving Recombinant Molecules, as amended from time to time. If the National Institutes of Health shall discontinue or abolish said guidelines, the most recent guidelines shall remain in effect as thereafter modified from time to time by regulation by the department.

“Person,” any state, public, or private corporation or authority, any individual, trust, firm, joint stock company, partnership, association, or other entity, or any group thereof, and any officer, employee, or agent of such person, any group of persons, and any agency or political subdivision of the Commonwealth or of the federal government.

“Program,” the High Containment Biological Research Laboratory Health and Safety Program.

“Select Agents and Toxins,” a biological agent or toxin as defined in Title 42, Part 73 of the Code of Federal Regulations, Title 9, Part 121 of the Code of Federal Regulations, or Title 7, Part 331 of the Code of Federal Regulations.

“Toxin,” any toxic material or product of plants, animals, microorganisms (including bacteria, virus, fungus, rickettsiae, or protozoa), or infectious substance, or a recombinant or synthesized molecule, whatever their origin and method of production, and includes: any poisonous substance or biological product that may be engineered as a result of biotechnology produced by a living organism; or any poisonous isomer or biological product, homolog, or derivative of such a substance.

- (b) There is established in the department a High Containment Biological Research Laboratory Health and Safety Program.
- (c) The program shall provide standards for the location, operation, and maintenance of high containment biological research laboratories and the oversight of such laboratories to protect the safety of laboratory workers, the public, and the environment from select agents and toxins.
- (d) The department shall adopt regulations for the implementation of the program that:

- (1) Set criteria for determining appropriate locations for siting a building with a BSL4 laboratory, including whether a BSL4 laboratory may be created within an existing building, that at a minimum include that:
  - i. Sites shall not be within a floodplain, near a property whose regular use could significantly endanger the site through fire or explosion, or near an area of high traffic congestion that might impede emergency access or evacuation or endanger motorists;
  - ii. Sites shall have sufficient land available to provide for a reasonable buffer around the building, a minimum of 150 unobstructed feet in every direction;
  - iii. Other criteria for consideration include: the proximity of flood plains, wetlands, waterways, and water bodies; the relationship of the site to groundwater elevations; the nature and extent of residential areas and schools through grade twelve in proximity to the site; the availability and suitability of access roads to the site, including the ability of first responders to access the site in an emergency; the potential for adverse public health and safety impacts; the potential impact of increased traffic volume on roads to the



site; and the potential threat of a terrorist attack on or infiltration of the building.

- (2) Provide a process to determine whether to approve the siting of a new BSL4 laboratory that includes:
  - i. An application to be completed by a person wishing to site a building with a BSL4 laboratory or add a BSL4 laboratory to an existing building that did not have a BSL4 laboratory;
  - ii. The department holding a public hearing on the application in the municipality where the laboratory would be located;
  - iii. The department, the department of environmental protection, the board of health of the municipality in which the facility would be located reviewing the application and approving the siting if they determine that the proposed site and building would not constitute a threat to the public health or safety or the environment;
  - iv. The decision on the siting is made in writing with findings as to why the decision was made;

- v. The approval or denial of siting may be appealed pursuant to provisions of section fourteen of chapter thirty A;
- (3) Require each facility with a BSL4 laboratory that has been approved as required by subsection (2) to submit to the department the construction plans for the facility, construction schedule, the application submitted to the National Institutes of Health (NIH), if applicable, the as-built plans when completed, and documentation of third-party commissioning of the facility.
- (4) Assure that high containment biological research laboratories meet or exceed federal guidelines for health and safety practices, including that:
- i. Each facility with a high containment biological research laboratory complies with the most current versions of the following guidelines: NIH Guidelines; BMBL; and Guidelines on Primary Containment for Biohazards (Centers for Disease Control/NIH); or more protective regulations that the department might adopt.
  - ii. Each facility with a high containment biological research laboratory shall establish an Institutional Biosafety Committee (IBC) in accordance with the NIH Guidelines, whether it is NIH funded or not. At least two members

of the IBC shall be residents of the municipality in which the facility is located and shall be independent of the facility, its contractors, and consultants. One such member shall be appointed by the department and the other shall be appointed by the local board of health. A member appointed by the department or local board of health may be rejected by the facility only for good cause.

iii. An IBC shall comply with NIH Guidelines applicable to IBCs for all research in high containment biological research laboratories, whether recombinant DNA research or not, and may be further regulated by the department. Each IBC for a facility with high containment biological research laboratory shall, at a minimum:

(A) Provide the department with a complete list of all members of the IBC, including member's name, title, business mailing address, phone number, fax number, e-mail, and curriculum vitae. The list and curriculum vitae shall be updated with any changes at least annually.

(B) Review and approve all projects in facilities operating a high containment biological research laboratory prior to the projects commencing. A protocol

registration document, as defined by the NIH guidelines, shall be required for all approved IBC projects with select agents and toxins and other regulated agents requiring BSL3 or BSL4 containment. The documents shall be sent to the department and are subject to chapter 66 of the General Laws.

(C) Take and keep minutes of IBC meetings that conform to the NIH Guidelines and provide the minutes to the department. The minutes shall be accessible for members who do not attend the meetings. The minutes shall include, but not be limited to: IBC members present at the meeting; a description of any current or pending research; any comments or concerns made at the meeting; and any voting, administrative matters, accident reporting or compliance issues discussed. The department may provide the minutes to the local board of health upon request.

(D) Inspect the high containment biological research laboratories at least annually and submit the results of the inspections to the department.

(E) Meet at least annually with a representative of the department to review

safety procedures, discuss health issues relating to operation of its facility, and such other issues identified by the department.

(F) Hold at least one public meeting annually to a report on health and safety issues at the facility and take public comments about the facility.

- (5) Require prior approval by the department for research that may or is intended to:
- i. Enhance the harmful consequences of a biological agent or toxin. Harmful consequences include the ability to critically alter normal biological functions, or inflict damage on public health resources, materiel, and public safety. Enhancement includes augmenting properties such as virulence, infectivity, stability, transmissibility, or the ability of the biological agent or toxin to be disseminated;
  - ii. Disrupt immunity or the effectiveness of an immunization;
  - iii. Confer to a pathogenic agent or toxin resistance to clinically or agriculturally useful prophylaxes or therapeutics against that agent or toxin;

- iv. Facilitate the ability of a biological agent or toxin to evade detection methodologies;
- v. Increase the stability, transmissibility, or the ability to disseminate a biological agent or toxin;
- vi. Alter the host range or tropism of a pathogenic agent or toxin;
- vii. Enhance the susceptibility of a host population, including by immuno-modulation of the host to increase pathogenicity; or
- viii. Generate a novel pathogenic agent or toxin or reconstitute an eradicated or extinct pathogenic agent. A novel agent is an agent that has not existed previously and is considered unique based on biological or other properties and traits.

Such approval may be granted only upon a showing that the facility has taken special precautions to minimize or eliminate health and safety risks arising from such research.

- (6) Require each facility with a high containment biological research laboratory to complete a permit application and obtain a permit from the department to operate its high containment

biological research laboratories. Said permits shall contain the terms and conditions the department determines are necessary to protect worker and public health and safety and the environment. Said permits shall not exceed five years in duration but may be renewed or reissued by the department after receipt of a new completed permit application that meets regulatory requirements. The department may issue or renew a permit only upon finding that no condition or circumstance exists in the facility that is prejudicial to worker or public health and safety or the environment. The department may suspend or revoke a permit upon finding that a condition or circumstance exists in the facility that is prejudicial to worker or public health and safety or the environment.

- (7) Require each facility with a high containment biological research laboratory to have a medical surveillance plan created in consultation with a licensed physician experienced in occupational health or infection control and familiar with biological laboratory exposures and informed about select agents and toxins. The purpose of the plan is to establish employee and researcher occupational health records, document and require inoculation for diseases when a safe vaccine is available, screen for illness among laboratory workers, require reporting of laboratory accidents, monitor and track releases and laboratory-

acquired infections and spreads, and report within the facility and to appropriate government entities. The specifics of the medical surveillance and infection control protocol must meet standards established by the department and be approved by the department. The medical surveillance plan shall be implemented through an employee experienced in occupational health or infection control, familiar with biological laboratory exposures, and informed about select agents and toxins. The employee shall also:

- i. Report any accidental or intentional human exposure to a pathogenic biological agent or toxin, or reasonable likelihood of such exposure, to the department as soon as possible and in no case more than 24 hours after learning of the exposure;
- ii. Report any accidental or intentional release or spread of a pathogenic biological agent or toxin, or reasonable likelihood of a release or spread, outside the containment area of a BSL 3 or BSL4 laboratory to the department as soon as possible, and in no case more than 24 hours after the release. The report also shall be provided to the board of health in the municipality in which the facility is located and any other municipality affected by the release.



- iii. Provide the IBC with a report of all incidents, accidents, and other events that caused or are suspected to have caused a threat to the public health, death, illness, or bodily injury to any person in the laboratory, as they occur, but no later than 3 days after the incident.
- (8) Require each facility with a high containment biological research laboratory to have and implement a plan to provide adequate training for the proper handling of pathogenic biological agents and toxins that might be present in the laboratory. Such training shall include, but not be limited to, decontamination methods, personnel safety precautions and work habits, early warning disease surveillance, and accident response actions and notifications. The facility shall provide a training plan to its IBC and the department for approval and shall update the plan annually, if necessary. The training plan shall ensure that all laboratory staff and researchers, including the principal investigator for each facility, are trained adequately and that the principal investigator participates in the creation and implementation of the training plan. No individual other than a local, state or federal government representative requiring access for regulatory compliance or investigative purposes may enter a high containment biological research laboratory located within a facility without first completing the facility's training plan.

- (9) Require each facility with a high containment biological research laboratory to have and implement a waste management and decontamination plan approved by the department.
- (e) A facility with a high containment biological research laboratory shall develop an emergency response plan, in conjunction with local and state officials, that addresses security threats and releases and spread of pathogenic biological agents and toxins. The emergency response plan shall comply with local, state or federal plans already in existence. The plan must address such events as severe weather (such as hurricanes and floods), earthquakes, power outages, terrorism, and other natural, accidental, or intended disasters or emergencies. The emergency response plan shall at a minimum address the following:
- (1) The hazards associated with the use of the select agents and toxins and special procedures needed to address the hazards of specific select agents and toxins.
  - (2) Personnel roles, lines of authority, training, and communication.
  - (3) Emergency assessment and prevention.
  - (4) Site security and control.

- (5) Evacuation routes and procedures.
  - (6) Decontamination.
  - (7) Emergency medical treatment and first aid.
  - (8) Emergency alerting and response procedures.
  - (9) Personal protective and emergency equipment.
  - (10) Regularly scheduled preparedness exercises in coordination with local public health and safety officials.
  - (11) Critique of response and follow-up after an incident has occurred.
  - (12) Communication to the public and news media.
- (f) A facility with a BSL4 laboratory shall coordinate with a hospital within a five mile radius of the facility for a medical response to human exposure to a pathogenic biological agent or toxin, and do so in conformity with existing public health guidelines and regulations. If there is no hospital medically equipped to coordinate this type of response within a five mile radius of said facility, then the coordination shall be performed at the closest hospital to the facility so equipped. Said coordination shall include, but not be

limited to, addressing transportation, isolation, and quarantine issues as appropriate to the diseases caused by select agents and toxins at the facility. If the closest hospital has created a plan in collaboration with the department under the Bioterrorism Grant Program, the facility is not required to pay for the cost of annual drills.

- (g) Every facility that has a high containment biological laboratory shall purchase property and general liability insurance. The insurance shall provide compensation for harm that would be caused to facility workers and the public in the event of a release of a toxin or agent or other hazardous exposure to dangerous pathogens, and from damages caused by a terrorist attack on the facility.
- (h) No employee, researcher, or student shall be required to conduct scientific research, experimentation, or study or take other action in a facility with a high containment biological research laboratory that violates any provision of this section or has reasonable potential to adversely affect public or worker health, safety, or the environment.
- (i) A facility with a high containment biological research laboratory shall not take any retaliatory action against an employee, researcher, or student in the facility because that person discloses or threatens to disclose to a supervisor or a public body an activity, policy or practice that the employee, researcher or student

reasonably believes is in violation of this section or objects to or refuses to participate in any activity, policy or practice that the employee, researcher or student reasonably believes is in violation of this section.

(1) The protection against retaliatory action shall not apply to the public disclosure of confidential or proprietary information, trade secrets or other confidential materials unless the employee, researcher or student makes such disclosure directly and exclusively to the office of the attorney general or the department. The department shall not publicly disclose any such confidential information, but shall submit the information to the Attorney General forthwith.

(2) An employee, researcher or student aggrieved by a violation of this subsection may, within two years, file a complaint with the attorney general, who may bring an action in the name of the Commonwealth against the facility alleged to have violated this section. Provided further, that within ninety days of receiving said complaint, the attorney general shall notify the complainant in writing as to whether he intends to bring an action in the name of the Commonwealth. If the attorney general declines to bring an action based on the complaint filed, the aggrieved employee, researcher or student may, within one year, institute a civil action in the superior court. Any party to said action shall be entitled to claim a jury trial. All

remedies available in common law tort actions shall be available to prevailing plaintiffs. These remedies are in addition to any legal or equitable relief provided herein. The court may: (i) issue temporary restraining orders or preliminary or permanent injunctions to restrain continued violation of this section; (ii) reinstate the employee, researcher or student to the same position held before the retaliatory action, or to an equivalent position; (iii) reinstate full fringe benefits and seniority rights to the employee, researcher or student; (iv) compensate the employee, researcher or student for three times the lost wages, benefits and other remuneration, and interest thereon; and (v) order payment by the facility of reasonable costs, and attorneys' fees.

(3) In any action brought by an employee, researcher or student under subsection (2), if the court finds said action was without basis in law or in fact, the court may award reasonable attorneys' fees and court costs to the facility. An employee, researcher or student shall not be assessed attorneys' fees if, after exercising reasonable and diligent efforts after filing a suit, the employee, researcher or student moves to dismiss the action against the facility, or files a notice agreeing to a voluntary dismissal, within a reasonable time after determining that the facility would not be found liable for damages.

(4) Nothing in this subsection shall be deemed to diminish the rights, privileges or remedies of any

employee, researcher or student under any other federal or state law or regulation, or under any collective bargaining agreement or employment contract.

(5) A facility with a high containment biological research laboratory shall publicly display notices designed to inform its employees, researchers and students of their protections and obligations under this subsection, and use other appropriate means to keep its employees, researchers or students so informed. Each notice posted pursuant to this subsection shall include the name of the person or persons the facility has designated to receive written notification of a suspected violation of this section.

- (j) A facility with a high containment biological research laboratory shall have a security plan developed in coordination with state and local public safety officials. The security plan shall describe the deployment of security guards; the number of guards at each facility; other protective measures, including, coordination of security response with Federal, State, and Local authorities; restricted personnel access to each BSL3 and BSL4 laboratory; perimeter site security, internal site security, and fire protection barriers; and background security clearance for employees and prospective employees. If, at any time, the department of public safety determines that the security plan or implementation of the security plan for a BSL3 or BSL4 facility or laboratory is

insufficient to ensure its security, the municipality or department of public safety shall submit to the facility a report that identifies the vulnerability of the facility or laboratory, and recommended actions to eliminate the vulnerability. Said recommendations or other remedial actions shall be implemented by the facility immediately.

- (k) To ensure compliance with this section and to protect the public health and safety and the environment, the department shall have the authority to review all documentation relating to the operations of a high containment biological research laboratory and conduct physical inspections of any such laboratory, and any other part of a facility that supports the laboratory, with or without prior notice; so long as such inspections are conducted at reasonable times and in a manner that maintains the health and safety systems of the laboratory.
- (l) A person who willfully or knowingly violates this section or a regulation promulgated pursuant to this section is subject to judicially imposed criminal and civil penalties as well as civil administrative penalties. Each day that a violation occurs or continues constitutes a separate violation. A violation may be punished by the administrative imposition of a penalty of not less than \$100 and not more than \$25,000 for each day of violation. A violation may be punished by a fine not less than \$100 and not more than \$25,000, or by imprisonment for not more than two years in the



house of correction. Punishment imposed under this section does not preclude any other penalty prescribed by law.

- (m) If a facility or laboratory remains in violation of this section or a regulation promulgated pursuant to this section after written notice from the department without taking reasonable steps to alleviate the violation, the department shall have the authority to close the facility or laboratory until the violation is remedied. If the department finds that an imminent and substantial threat to worker or public health or safety or the environment exists in a facility or laboratory, it may request the attorney general bring suit or an action for injunctive relief.
- (n) Each municipality in the Commonwealth shall have the authority to regulate and prohibit high containment biological research laboratories within its jurisdiction. If a municipality has a regulatory program for high containment biological research laboratories that the department finds is at least as protective of worker and public health and safety and environment as this program, upon request of the municipality the department may certify the municipal program to operate in the place of this program in the municipality.

SECTION 2. The Department of Public Health shall adopt regulations to implement this act within one year after the effective date of this act.

SECTION 3. Section 19(d)(2), concerning whether to approve the siting of a new BSL4 laboratory, shall not apply to any building intended to include a BSL4 laboratory that has a building permit and is under construction as of the effective date of this act.

## RESOLUTION

- WHEREAS: The City of Newton has been vigilant in its efforts to protect its citizens from the risks of classified and dangerous research; and
- WHEREAS: Boston University is planning to build a BioSafety Level 4 laboratory in a densely populated area of Boston that may involve secret, bioweapons research on incurable diseases such as ebola and other hemorrhagic fevers; and
- WHEREAS: The dangers involved in this laboratory could disastrously affect residents in Newton, as well as residents of the immediately adjacent Roxbury/South End neighborhood, through the accidental release of deadly air-borne substances; contact with infected laboratory workers who reside in our community; or the laboratory becoming the target of a terrorist attack; and
- WHEREAS: State Superior Court Judge Gants has vacated the Final Environmental Impact Review of the BSL4 laboratory by Boston University finding it “arbitrary and capricious” and ordered that additional environmental reviews be carried out to provide an adequate analysis of ‘worst case scenarios” and the comparative risks of placing the lab in an alternative, less populated, site; and
- WHEREAS: The City of Newton, by letter of November 3, 2004, had requested further environmental impact review by the MA Secretary of Environmental Affairs; and
- WHEREAS: Boston University and the National Institutes of Health, in response to a motion for a preliminary injunction, committed themselves to developing a plan to improve community input and involvement, including in respect to DNA research protocols and limitations on such work; and be it further
- RESOLVED: That the Newton Board of Aldermen contact the Director of the National Institutes of Health and urge a halt to the construction of the level 4 bio laboratory at Boston University until the successful completion of all required environmental impact reviews; and be it further
- RESOLVED: That the Board of Aldermen is in principle opposed to the construction of BSL4 laboratories in densely populated areas; and be it further
- RESOLVED: That, for the purpose of educating Newton residents about this issue, the Board of Aldermen invite all involved parties

including NIH, BU, Roxbury Safety Net, Greater Boston STOP the bio-terror lab Coalition, to participate in a public meeting in Newton to assess the risk associated with the construction of the proposed laboratory; and be it further

RESOLVED: That the Newton Board of Aldermen notify the National Institute of Allergy and Infectious Diseases (NIAID) Director Anthony Fauci, Governor Deval Patrick, Congressman Barney Frank, Senators Kennedy and Kerry, the Massachusetts congressional delegation, its state legislative delegation, Mayor Menino and the Boston City Council of the above actions.

**Resolution in support of Governor Deval Patrick's Municipal Partnership Act**

WHEREAS, government at the state and local level provides important and necessary services to residents, communities, and businesses;

WHEREAS, these services include education, health care, transportation, infrastructure, public health, and environmental protection;

WHEREAS, investing in education, infrastructure, and other public services is critical to promoting job creation and improving our economy;

WHEREAS, many important public services have suffered from lack of investment and budget cuts;

WHEREAS, repairing the tax code is good for the long-term strength of our economy;

WHEREAS, Governor Patrick's proposal to close corporate tax loopholes would improve the fairness of our tax system, level the playing field for local businesses, and enable important investments that fuel our economy;

WHEREAS, Massachusetts ranks 10th among states with the lowest business taxes;

WHEREAS, Governor Patrick's Municipal Partnership Act would allow cities and towns the option of levying a local meals tax of up to 2 percent and increasing the local hospitality tax by 1 percent, as well as close a tax loophole for telecommunications companies;

WHEREAS, the Municipal Partnership Act would provide benefits to homeowners and reduce the reliance of our cities and towns on property taxes;

NOW, THEREFORE, BE IT RESOLVED that the Newton Board of Aldermen strongly endorses Governor Patrick's Municipal Partnership Act, including the tax reforms proposed to fund it, and urges the Massachusetts legislature to pass it in its entirety and respectfully requests that the Newton legislative delegation make this proposal their highest priority for immediate passage and inclusion in the Fiscal Year 2008 budget.

BE IT FURTHER RESOLVED that copies of this resolution be provided to members of the presented to Newton's legislative delegation, as well as to House Speaker Salvatore DiMasi, Senate President Theresa Murray, and Governor Deval Patrick.