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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**TUESDAY, NOVEMBER 10, 2020.**

[108]\*

# JOURNAL OF THE HOUSE.

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Tuesday, November 10, 2020.

Met according to adjournment at ten o'clock A.M., under emergency rules, with Mrs. Haddad of Somerset in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

At the request of the Chair (Mrs. Haddad), the members and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Silent Prayer.*

At the request of Representative Provost of Somerville, the members and employees stood in a moment of silent tribute to the memory of Dr. Leah Zallman.

Dr. Leah  
Zallman.

Dr. Zallman was a primary care physician for the Cambridge Health Alliance, at its East Cambridge Care Center. Having lived in Central America in her youth, Dr. Zallman was fluent in Spanish, and cared for many Spanish-speaking families. Dr. Zallman was also the Director of Research at the Institute for Community Health, and an assistant professor of medicine at Harvard Medical School. She worked closely with members of the Massachusetts House on health equity matters, on which she had published her own research. She had briefed the Progressive Caucus on her immigrant health research findings as recently as October 15.

Dr. Zallman was 40 years old, and leaves her husband, two young children, mother, sister, and other family members. Her death is an enormous loss to them, to all the communities she served, to her profession, to her patients, and to scientific research.

## *Order.*

On motion of Mr. Galvin of Canton,—

*Ordered,* That notwithstanding any rule to the contrary, a court officer shall be assigned to cast roll call votes, except quorum roll calls, for the Chair, Vice-Chair and Assistant Vice-Chair of the committee on Ways and Means whenever said members are conducting deliberations on amendment categories of the General Appropriation Bill, during consideration of said General Appropriation Bill.

Representatives  
Michlewitz,  
Garlick and  
Malia,—  
voting.

## *Papers from the Senate.*

The House Bill authorizing the city of Boston to grant an additional license for the sale of alcoholic beverages to be drunk on the premises (House, No. 4549), came from the Senate passed to be engrossed, in concurrence, with an amendment adding the following section:

Boston,—  
liquor  
license.

“SECTION 2. This act shall take effect upon its passage.”

The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

A Bill to modernize public accountancy (Senate, No. 2941) (on Senate bill No. 2668); and

Public  
accounting.

A Resolve establishing a commission on the two hundred and fiftieth anniversary of the American Revolution (Senate, No. 2945) (on Senate bill No. 2452);

American  
Revolution.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

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

Petition (accompanied by bill, Senate, No. 2946) of Harriette L. Chandler and Mary S. Keefe for legislation to establish a sick leave bank for Glenn Rocco, an employee of the Worcester County Sheriff's Department; and

Glenn  
Rocco,—  
sick leave.

Petition (accompanied by bill, Senate, No. 2947) of Michael O. Moore and David Henry Argosky LeBoeuf for legislation to establish a sick leave bank for Alexis Orloff, an employee of the Worcester County Sheriff's Office;

Alexis  
Orloff,—  
sick leave.

Severally to the committee on Public Service.

### *Reports of Committees.*

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the petition of John J. Mahoney for legislation to establish a sick leave bank for James F. King, an employee of the Department of Correction. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

James  
King,—  
sick leave.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on House, Nos. 724, 728, 759, 762, 769, 783, 820, 822, 830, 838, 844 and 889, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning oceans, waterways and water quality (House, No. 5116).

Oceans,  
waterways and  
water quality,—  
study.

By the same member, for the same committee, on House, Nos. 723, 745, 747, 788, 797, 803, 804, 809, 810, 829, 836, 843, 854, 855, 856, 858, 859, 886, 3652, 3765 and 3873, an Order relative to authorizing the committee on Environment, Natural Resources and Agriculture to make an investigation and study of certain House documents concerning waste (House, No. 5124).

Waste,—  
study.

By Mr. Hay of Fitchburg, for the committee on Labor and Workforce Development, on House, Nos. 1591, 1592, 1593, 1594, 1595, 1597, 1602, 1603, 1607, 1611, 1612, 1615, 1622, 1623, 1626, 1629, 1632, 1637, 1640, 1641, 1642, 1643, 1644, 1645, 1646, 1647, 1648, 1649, 1650, 1655, 1663, 1664, 1666, 1667, 1671, 1672, 1673, 1675, 1676, 1679, 1682, 1685, 1688, 1690, 1692, 1693, 1695, 1696 and 3610, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain House documents concerning contracts and employment (House, No. 5123) [Representative Crocker of Barnstable dissenting].

Contracts and  
employment,—  
study.

By Mr. Naughton of Clinton, for the committee on Public Safety and Homeland Security, on House, Nos. 2035, 2040, 2041, 2043, 2044, 2046, 2048, 2049, 2050,

Public  
safety,—  
study.

2051, 2052, 2053, 2054, 2056, 2058, 2059, 2063, 2064, 2066, 2067, 2068, 2069, 2070, 2071, 2079, 2080, 2081, 2082, 2084, 2086, 2087, 2089, 2093, 2094, 2097, 2098, 2099, 2100, 2101, 2103, 2105, 2114, 2118, 2119, 2120, 2121, 2122, 2123, 2124, 2126, 2129, 2130, 2131, 2134, 2136, 2142, 2144, 2145, 2151, 2153, 2154, 2155, 3574, 3576, 3613, 3614, 3728, 3780, 3781, 3782, 3783, 3885 and 3927, an Order relative to authorizing the committee on Public Safety and Homeland Security to make an investigation and study of certain House documents concerning public safety matters (House, No. 5117).

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

Subsequently, Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules. Under Rule 42, the reports severally were considered forthwith; and they were accepted.

*Recess.*

At thirteen minutes after ten o'clock A.M., the Chair (Mrs. Haddad of Somerset) declared a recess to half past ten o'clock; and at seven minutes before eleven o'clock A.M. the House was called to order with the Speaker in the Chair.

Recess.

*Quorum.*

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 156 members were recorded as being in attendance.

Quorum,—  
yea and nay  
No. 272.

**[See Yea and Nay No. 272 in Supplement.]**

Therefore a quorum was present.

*Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed Mrs. Haddad of Somerset) congratulating Jason P. Arruda on receiving the Eagle Award of the Boy Scouts of America; and

Jason  
Arruda.

Resolutions (filed Mrs. Haddad of Somerset) congratulating Mason G. Pelletier on receiving the Eagle Award of the Boy Scouts of America;

Mason  
Pelletier.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mrs. Haddad, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Orders of the Day.*

The House Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond

General  
Appropriation  
Bill.

requirements and for certain permanent improvements (House, No. 5150), was considered, the main question being on ordering the bill to a third reading.

After debate on the question on ordering the bill to a third reading (Mrs. Haddad of Somerset being in the Chair), at seven minutes before twelve o'clock noon, on motion of Mr. Jones of North Reading, the House recessed subject to the call of the Chair; and at twenty-seven minutes before one o'clock P.M., the House was called to order with Mrs. Haddad in the Chair.

Recess.

Pending the question on ordering the bill to a third reading, Mr. McKenna of Webster moved to amend it by adding the following section:

“SECTION 47. Section 6 of Chapter 62 of the MGL is hereby amending by adding after subsection (I) the following new subsection:

Section (j) Any owner of residential property located in the commonwealth who is not a dependent of another taxpayer and who occupies said property as his principal residence, if said residence has water supplied solely by connection to a public water supply, shall be allowed a credit equal to 60 per cent of the expenditures related to the installation of a home water filtration system if the water being provided is deemed unclean or unsafe by the department. Eligible expenditures shall be the actual cost to the taxpayer or \$5,000, whichever is less; provided, however, that said credit shall be available to eligible taxpayers beginning in the tax year in which the installation of said filtration system was installed; and provided, further, that said credit shall not exceed \$1000 in any tax year and any excess credit may be applied over the following tax years up to an aggregate maximum of \$3000. The department shall promulgate such rules and regulations as are necessary to administer the credit afforded by this subsection, including, but not limited to, a notification that continued maintenance of said filtration system to include replacement filters are not eligible expenses.”.

The amendment was rejected.

Mr. Connolly of Cambridge and other members of the House then moved to amend the bill by adding the following four sections:

“SECTION 47. Section 5G of Chapter 29 of the General Laws, is hereby amended by striking out the first paragraph, as amended by section 5 of chapter 142 of the acts of 2019, and inserting in place thereof the following paragraph:

After each quarter, the department of revenue shall certify to the state comptroller the amount of tax revenues estimated to have been collected during the preceding quarter from capital gains income. If the department of revenue certifies that the amount of tax revenues estimated to have been collected from capital gains income exceeds \$1,500,000,000 in a fiscal year, the comptroller shall transfer quarterly any such amount that exceeds \$1,500,000,000 collected during that fiscal year as follows: (i) 90 per cent shall be transferred to the Commonwealth Stabilization Fund established in section 2H; (ii) 5 per cent shall be transferred to the State Retiree Benefits Trust Fund established in section 24 of chapter 32A; and (iii) 5 per cent shall be transferred to the Commonwealth's Pension Liability Fund established in subsection (e) of subdivision 8 of section 22 of chapter 32. The \$1,500,000,000 threshold established in the preceding sentence shall be adjusted annually to reflect the average annual rate of growth in United States gross domestic product over the preceding 5 years based on the most recently available data published by the Bureau of Economic Analysis in the United States Department of Commerce.

SECTION 48. Subsection C of section 3 of chapter 62 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following 3 paragraphs:

(d) In the case of a single person or a married person filing a separate return who is 65 years of age or older or who is disabled and whose federal adjusted gross income is less than \$40,000, a personal exemption not to exceed \$30,000 of the taxpayer's Part A income under paragraph (2) of subsection (c) of section 4 and Part C adjusted gross income.

(e) In the case of a married couple filing a joint return, 1 of whom is either 65 years of age or older or is disabled and whose federal adjusted gross income is less than \$80,000, a personal exemption not to exceed \$60,000 of the taxpayers' Part A income under paragraph (2) of subsection (c) of section 4 and Part C adjusted gross income.

(f) In the case of a married couple filing a joint return, both of whom are either 65 years of age or older or disabled and whose federal adjusted gross income is less than \$80,000, a personal exemption not to exceed \$60,000 of the taxpayers' Part A income under paragraph (2) of subsection (c) of section 4 and Part C adjusted gross income.

SECTION 49. Section 4 of said chapter 62, as so appearing, is hereby amended by striking out paragraph (2) of subsection (a) and inserting in place the following paragraph:

(2) Part A taxable income consisting of interest and dividends shall be taxed at the rate of 5 per cent.

SECTION 50. Said section 4 of said chapter 62, as so appearing, is hereby further amended by striking out subsection (c) and inserting in place thereof the following subsection:

(c) Part C taxable income shall be taxed at the rate of 9 per cent, excepting Part C taxable income derived from the sale of investments which: (1) are in a corporation which is domiciled in the commonwealth with a date of incorporation on or after January 1, 2011 which has less than \$50 million in assets at the time of investment and complies with subsections (e)(1), (e)(2), (e)(5), and (e)(6) of Section 1202 of the Internal Revenue Service Code; and (2) are held for 3 years or more, which shall be taxed at a rate of 3 per cent; provided, however, that in order to qualify for the 3 per cent rate, such investments shall be made within 5 years of the date of incorporation and, to the extent consistent with the provisions of this subsection, shall be in stock in a corporation that satisfies the requirements for treatment as 'qualified small business stock' under section 1202(c) of the federal Internal Revenue Code, without regard to the requirement that the corporation be a C corporation."

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Mr. Connolly; and on the roll call 30 members voted in the affirmative and 127 in the negative.

**[See Yeas and Nays No. 273 in Supplement.]**

Therefore the amendment was rejected.

After remarks, the bill was ordered to a third reading.

At nineteen minutes before two o'clock P.M., on motion of Mr. Jones of North Reading (Mrs. Haddad of Somerset being in the Chair), the House recessed until half past three o'clock; and at twenty-one minutes before eleven o'clock P.M. the House was called to order with Mrs. Haddad in the Chair.

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

Pending the question on passing the bill to be engrossed, Mr. Michlewitz and other members of the House moved to amend it in section 2, in item 1410-0010, by adding the following: " provided, that not less than \$50,000 shall be expended for

Amendment rejected,—yea and nay No. 273.

Recess.

Consolidated amendments (education

the NEADS, Inc. service dogs for veterans program to train service dogs for veterans”; and in said item by striking out the figures: “4,337,822” and inserting in place thereof the figures: “4,387,822”;

In item 1410-0012, in line 6, by inserting after the word “veterans” the following: “; provided further, that not less than \$750,000 shall be expended for clinical care, education and training in veterans’ mental and behavioral health issues, including post-traumatic stress, traumatic brain injury, substance use disorder and suicide prevention administered by the Massachusetts General Hospital home base program; provided further, that not less than \$50,000 shall be expended to the Veterans Northeast Outreach Center, Inc. in Haverhill; provided further, that not less than \$30,000 shall be expended to the town of Natick for the veteran’s oral history project at the Morse Institute library; provided further, that not less than \$30,000 be expended for the Nathan Hale Veterans Outreach Centers to continue to support veterans and their families”; and in said item by striking out the figures: “6,940,522” and inserting in place thereof the figures: “7,800,522”;

In item 1410-0250 by adding the following: “; and provided further, that not less than \$15,000 shall be expended for transitional services at Our Neighbors’ Table, Inc. in the city of Amesbury”; and in said item by striking out the figures: “3,567,655” and inserting in place thereof the figures: “3,582,655”;

In item 3000-1020, in line 15, by inserting after the word “courses” the following: “; provided further, that not less than \$50,000 shall be expended on transitional costs and other 1-time quality improvements at Nurtury, Inc.”; and in said item by striking out the figures: “40,012,640” and inserting in place thereof the figures: “40,062,640”;

In item 4401-1000 by adding the following: “; provided further, that not less than \$50,000 shall be expended for Ascentria Care Alliance, Inc. to provide transportation to low-income families through their good news garage ready to go service; and provided further, that not less than \$15,000 shall be expended to the town of Hudson for Fresh Start Furniture Bank, Inc.”; and in said item by striking out the figures: “16,433,554” and inserting in place thereof the figures: “16,498,554”;

In item 4800-0015 by adding the following: “; and provided further, that not less than \$100,000 shall be expended for the Italian Home for Children, Inc.”; and in said item by striking out the figures: “114,559,680” and inserting in place thereof the figures: “114,659,680”;

In item 4800-0038, in line 17, by inserting after the year: “2021” the following: “; provided, further, that \$10,000 shall be expended for the Laboure Center, Inc. to support adaptation of telehealth and technology in its recovery connections program; provided further, that not less than \$50,000 shall be expended to the Weymouth teen center to provide job skills training, remedial education services, and to promote a social service program promoting growth and social welfare; provided further, that not less than \$100,000 shall be expended for the Children’s Advocacy Center of Bristol County, Inc.; provided further, that not less than \$25,000 shall be expended for Rick’s Place, Inc. of Wilbraham to provide counseling services for youth who have experienced the loss of a parent in the Pioneer Valley”; and in said item by striking out the figures: “306,420,812” and inserting in place thereof the figures: “306,605,812”;

In item 7010-0005 by adding the following: “; and provided further, that not less than \$25,000 shall be expended to Methuen high school for mental health services; and provided further, that not less than \$25,000 be allocated to the Bellingham school district for technology and safety supplies needed due to the COVID-19 pandemic”;

and local aid,  
transportation,  
social services,  
and veterans).

and in said item by striking out the figures: “11,716,167” and inserting in place thereof the figures: “11,766,167”;

In item 7010-0033, in line 7, by inserting after the word “department” the following: “; provided further, that not less than \$25,000 shall be expended for the First R Foundation, Inc. and Pathways for Children, Inc. head start program to provide for the purchase of books for children through a contract with Imagination Library”; and in said item by striking out the figures: “2,014,731” and inserting in place thereof the figures: “2,039,731”;

In item 7027-0019, in line 17, by inserting after the word “job” the following: “; provided further, that not less than \$75,000 shall be expended to Project Learn, Inc. for the continued implementation of programming in the city of Lowell for the purpose of improving college and career readiness for students currently or recently enrolled in a public high school in the city of Lowell; provided further, that Project Learn, Inc. may pursue partnerships with public and private entities to provide said programming; provided further, that not less than \$75,000 shall be expended for the Massachusetts Marine Trades Association, Inc. to increase workforce development training opportunities and technical education in secondary and post-secondary schools for careers in the marine trades”; and in said item by striking out the figures: “6,000,000” and inserting in place thereof the figures: “6,150,000”;

In item 7027-1004, in lines 10 and 11, by striking out the words “funds shall be expended on grants to high-quality, intensive English language learning programs in districts serving Gateway Cities” and inserting in place thereof the following: “not less than \$1,000,000 shall be expended on grants to high-quality, intensive English language learning programs in districts serving gateway cities”;

By inserting after item 7035-0006 the following item:

“7035-0007 For reimbursements to cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives for certain expenditures for transportation of non-resident pupils to approved vocational technical programs of any regional or county agricultural school district, city, town, independent school, or collaborative under section 8A of chapter 74 of the General Laws; provided, that if the amount appropriated is insufficient to fully fund said section 8A of said chapter 74, initial reimbursements made by the department of elementary and secondary education may be prorated by the department to all eligible cities, towns, regional vocational or county agricultural school districts, independent vocational schools, or collaboratives; and provided further, that upon a determination by the department that the funds appropriated in this item are insufficient to meet the commonwealth’s full obligation under said section 8A of said chapter 74, the department shall within 10 days notify the secretary of administration and finance, the joint committee on education, and the house and senate committees on ways and means of the amount needed to fully fund the obligation.....\$250,000”;

In item 7061-0027, in line 20, by inserting after the year: “2021” the following: “; provided further that not less than \$15,000 shall be expended for the Framingham City-Wide PTO for the purposes of translation services to help parents with remote learning”; and in said item by striking out the figures: “50,000,000” and inserting in place thereof the figures: “50,015,000”;

By inserting after item 7061-0029 the following item:

“7061-0033 For a reserve to assist towns negatively impacted by shortfalls in federal impact aid for the education of children in families employed by the federal government on military reservations located within the town’s limits; provided, that not less than \$100,000 shall be made available to the town of Lincoln to mitigate the costs of educating the children of retired-military families..... \$400,000”;

In item 7061-9611, in line 36, by inserting after the word “law” the following: “; provided further, that not less than \$40,000 shall be expended for youth programs at Dennison Memorial Community Center in New Bedford; provided further, that not less than \$30,000 shall be granted to the Cape Verdean Association of Brockton for employment positions for at-risk youth within their YEP We Can Summer Program; provided further, that not less than \$50,000 shall be expended for the Boston Debate League Incorporated for their after-school debate league program; provided further, that not less than \$20,000 shall be expended for VietAid to support after-school programs for the Vietnamese community in Dorchester; provided further, that not less than \$25,000 shall be expended for the Steps to Success program in the town of Brookline”;

In item 7100-0200, in line 24, by inserting after the word “recommendations” the words “; provided further, that the university shall expend funds for the University of Massachusetts at Amherst Cranberry Station”; and

By inserting after item 7503-0100 the following item:  
“7503-0101 For the Veterans Educational Service Center at Bristol Community College.....\$50,000”;

In section 2E, in item 1595-6368, by adding the following: “; provided, that not less than \$75,000 shall be expended for planning, maintenance, and improvement work on public roads in the town of Easton; provided further, that not less than \$50,000 shall be expended for the resurfacing of a section of route 116 in Cheshire; and provided further, that not less than \$100,000 shall be expended for the town of Maynard for linking elderly and commuter services to the Massachusetts Bay Transportation Authority”; and in said item by striking out the figures: “335,813,615” and inserting in place thereof the figures: “336,038,615”;

In item 1595-6370, in lines 10 to 14, inclusive, by striking out the following: “; and provided further, that in the distribution of performance grants, prioritization shall be given to a regional transit authority whose contract assistance under section 23 of said chapter 161B is less than 50 per cent of the net cost of service of the regional transit authority”;

By inserting after section 13 the following section:  
“SECTION 13A. Chapter 29 of the General Laws is hereby amended by striking out section 2IIIII, inserted by section 8 of chapter 124 of the acts of 2020, and inserting in place thereof the following section:

Section 2IIIII. (a) There shall be an Early Education and Care Public-Private Trust Fund. The fund shall be administered by the commissioner of early education and care.

(b) There shall be credited to the fund: (i) revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) interest earned on such revenues; and (iii) funds from public and private sources, including, but not limited to, gifts, grants and donations, to support state, philanthropic and private partnership efforts supporting Massachusetts childcare providers. Amounts credited to the fund that are unexpended at the end of a fiscal year shall not revert to the General Fund.

(c) Amounts credited to the fund may be expended, without further appropriation, by the commissioner for the following purposes:

(i) to assist the needs of providers in the early education and care mixed delivery system;

(ii) for the development of an infrastructure to facilitate state, private and philanthropic efforts in support of the early education and care field; and

(iii) for state collaboration with philanthropic organizations and businesses to establish and maintain an infrastructure for providing ongoing technical assistance and programming for the early education and care field including, but not limited to, the enhancement of business stability and sustainability, the fostering of local cross-sector early childhood education collaboration and the enhancement of program quality, including supports for early childhood educators.

(d) Amounts received from private sources shall be approved by the commissioner of early education and care and subject to review before being deposited in the fund to ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the implementation of early education and care policy and planning. The review shall be made publicly available.

(e) The commissioner of early education and care may designate an administrator of the fund for purposes of implementing approved activities consistent with this section.

(f) Annually, not later than November 1, the commissioner of early education and care shall report on the fund's activities to the house and senate committees on ways and means, the chairs of the joint committee on education and the house and senate clerks. The report shall include, but shall not be limited to: (i) the source and amount of funds received; (ii) the amounts distributed and the purpose of expenditures from the fund, including, but not limited to, funds expended to assist early education and care providers; (iii) any grants provided to early education and care programs, philanthropic organizations or other stakeholder organizations; and (iv) anticipated revenue and expenditure projections for the next year.”;

By inserting after section 33 the following section:

“SECTION 33A. Notwithstanding section 10 of chapter 70B of the General Laws or any other general or special law to the contrary, in determining the grant percentage for approved school projects for calendar year 2021, the Massachusetts School Building Authority shall calculate the Community Poverty Factor by examining the proportion of economically disadvantaged students from calendar year 2014 to the present and assigning whichever year's factor is the highest as determined by the department of elementary and secondary education.”;

By striking out section 34 and inserting in place thereof the following section:

“SECTION 34. Notwithstanding any special or general law to the contrary, for fiscal year 2021, \$90,500,000 of the amount transferred in item 1595-6370 of section 2E shall be considered operating assistance and distributed to regional transit authorities; provided, that for fiscal year 2021, \$87,000,000 shall be distributed based on fiscal year 2020 distributions, in accordance with the fiscal year 2020 bilateral memorandum of understanding between each regional transit authority and the Massachusetts Department of Transportation; and provided further, that each regional transit authority shall receive operating assistance from this item of not less than the amount received in fiscal year 2020; and, provided further, that \$3,500,000 shall be distributed to each regional transit authority based on the following formula: 60 per cent based on total transit ridership as reported on the most recent certified national transit data base report, 30 per cent based on population of its member communities from the most recent census, and 10 per cent based on service coverage area

determined by the total square miles of its member communities. The department may require each regional transit authority to provide data on ridership, customer service and satisfaction, asset management and financial performance, including farebox recovery, and shall compile collected data into a report on the performance of regional transit authorities and each authority's progress towards meeting the performance metrics established in each memorandum of understanding.”;

By inserting after section 42 the following section:

“SECTION 42A. Notwithstanding any general or special law to the contrary, a remote learning attendance and participation tracking system shall be used by any school district that adopts a remote learning model pursuant to 603 CMR 27.08(3)(b) to ensure that all students engage in remote learning meaningfully and substantially participate in their remote learning. Such tracking system shall also account for: (i) students with an extended absence; (ii) efforts made by the district to contact each parent or guardian of a student with an extended absence; and (iii) rates of chronic absenteeism. Each district shall report attendance and participation information, presented at both the school- and grade-level, to the department of elementary and secondary education monthly in a form and manner prescribed by the department. This information shall be made publicly available on the department's website.”; and

By inserting after section 44 the following five sections:

“SECTION 44A. There shall be a special commission established pursuant to section 2A of chapter 4 of the General Laws to study equity and access to telecommunications services, including but not limited to broadband internet, for students and families in the commonwealth and to make recommendations to address inequity and the digital divide for students and families with limited access to telecommunications services. The commission shall consist of the secretary of education, or a designee; the commissioner of elementary and secondary education, or a designee; 2 members to be appointed by the governor who shall have experience in broadband technology; 3 members of the senate of which the senate president shall appoint 1 to serve as co-chair, 1 of whom shall be the senate chair of the joint committee on education, 1 of whom shall be the senate chair of the joint committee on telecommunications, utilities and energy and 1 of whom shall be a member of the minority party to be appointed by the senate minority leader; 3 members of the house of representatives of which the speaker of the house shall appoint 1 to serve as co-chair, 1 of whom shall be the house chair of the joint committee on education, 1 of whom shall be the house chair of the joint committee on telecommunications, utilities and energy and 1 of whom shall be a member of the minority party who shall be appointed by the house minority leader; and 1 member to be appointed by each of the following organizations: Latinos for Education, Inc., the Massachusetts Broadband Institute, the Massachusetts Technology Leadership Council, Inc., the Massachusetts Municipal Association, Inc., the Massachusetts Business Alliance for Education, Inc., the Massachusetts Association of School Committees, Inc., the Massachusetts Association of School Superintendents, Inc., the Massachusetts Teachers Association, and the American Federation of Teachers Massachusetts.

The commission shall research, assess and develop recommendations for improving access to broadband internet and other telecommunications services throughout the commonwealth, particularly in low-income communities, rural communities and communities of color. The commission shall: (i) evaluate current levels of access to telecommunications services of households and communities in the commonwealth, including but not limited to access to broadband internet and low-cost cell phone plans; (ii) identify obstacles encountered by municipalities and the commonwealth in improving telecommunications infrastructure and access; (iii)

examine relevant federal, state and local laws, regulations, rules and ordinances related to telecommunications service access, including efforts and best practices of other states to improve telecommunications service access; (iv) assess the impact of a lack of access to telecommunications services on students in elementary, secondary and post-secondary schools in the commonwealth on remote, in-person and hybrid learning during the outbreak of the 2019 novel coronavirus, also referred to as COVID-19, including by collecting data from students, families and school districts to assess the extent to which the lack of access to technology and telecommunications services prevents students from completing homework and other coursework or otherwise fully participating in remote, in-person and hybrid education; (v) review federal grant and funding sources; and (vi) assess statewide needs and ways to address barriers to providing equitable opportunities for technology education, including recommendations for developing, enhancing and expanding statewide standards and programming in support of digital literacy training and education for adults and students, improvements to technology curriculum in elementary and secondary schools including the Massachusetts Digital Literacy and Computer Science Frameworks and the Massachusetts Digital Literacy Now grant program.

The commission shall submit a report with the results of its study and any recommendations, together with drafts of any legislation necessary to carry such recommendations into effect, to the house and senate clerks not later than July 31, 2021.

SECTION 44B. There shall be a special legislative Early Education and Care Economic Review commission established pursuant to section 2A of chapter 4 of the General Laws to review how child care programming is funded in the commonwealth and to make recommendations for potential legislative changes in funding and related policies as the commission deems appropriate.

In conducting its review, the commission shall seek to determine the early educational programs and services necessary to achieve the commonwealth's goal of expanding access to high quality early education and care programming, which is necessary for supporting children, working families and the state's continued economic prosperity.

To assist the commission in carrying out its review, the secretary of housing and economic development and the commissioner of early education and care each shall provide to the commission any data and information the commission considers relevant to its charge.

The commission shall include the following members: the chairs of the joint committee on education, who shall serve as co-chairs; the chairs of the joint committee on economic development and emerging technologies, who shall serve as co-vice-chairs; the secretary of education, or a designee; the secretary of housing and economic development, or a designee; the commissioner of early education and care, or a designee; the commissioner of elementary and secondary education, or a designee; the speaker of the house of representatives, or a house member designee; the president of the senate, or a senate member designee; the minority leader of the house of representatives, or a house member designee; the minority leader of the senate, or a senate member designee; a private-pay early education and care provider who shall be appointed by the speaker of the house; a representative from a Massachusetts youth organization with a proven record of supporting early education and care licensed programming for high numbers of vulnerable children and youth, who shall be appointed by the senate president; a Massachusetts employer or business leader outside the field of early education and care who has a proven record supporting access to high quality early education and care programs and services,

who shall be appointed by the speaker of the house; a Massachusetts employer or business leader outside the field of early education and care who has a proven record supporting access to high quality early education and care programs and services, who shall be appointed by the senate president; the executive director of the Massachusetts Association of Early Education and Care, or a designee; the executive director of the Massachusetts Association of School Superintendents, Inc., or a designee; a representative of the Massachusetts Afterschool Partnership, Inc.; the executive director of the Massachusetts Head Start Association, Inc., or a designee; the executive director of the Massachusetts Business Roundtable, or a designee; the executive director of the Black Economic Council of Massachusetts, Inc., or a designee; the director of Strategies for Children, Inc. or a designee; the president-elect of the Massachusetts Association for the Education of Young Children, Inc., or a designee; and 3 members who shall be appointed by the governor, 1 of whom shall be an early educator in a community serving high percentages of low-income children, 1 of whom shall be a representative of family child-care in the commonwealth and 1 of whom shall be an employer or business leader in the commonwealth with a proven record supporting access to high quality early education and care programs and services.

In appointing members of the commission, consideration shall be given to race, gender, socioeconomic and geographic diversity that is reflective of the early education and care workforce and those it serves.

The commission shall review and report on: (i) funding streams supporting early education and care in the commonwealth; (ii) models for accessing childcare, including but not limited to providing employee benefits that include childcare, and areas for replication; (iii) challenges to providing continued access to high quality early education and care due to the 2019 novel coronavirus, also known as COVID-19, and ways to support and stabilize the early education and care workforce; (iv) an assessment of supports provided to early education and care programs in the commonwealth during 2020, including those efforts to stabilize programs serving the commonwealth's most vulnerable children and families; (v) the economic impact COVID-19 has had on childcare providers and the economy, including the impact on parent-pay programs not supported through a state subsidy; (vi) policies and programs needed to create an early education and care system that provides increased opportunities for access to high quality early education and care programs, including but not limited to the provisions in chapter 15D of the General Laws; and (vii) any other relevant topic the chairs deem necessary.

The special commission shall hold no fewer than 5 public meetings and incorporate feedback from the early education and care sector, families, employers and other relevant stakeholders from across the commonwealth.

The special commission shall submit a report of its findings and any recommendations by filing its report with the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on education and the joint committee on economic development and emerging technologies, not later than March 1, 2021.

SECTION 44C. Not later than December 15, 2020, the department of children and families, in coordination with the department of elementary and secondary education, where applicable, shall report on statewide efforts taken since March 16, 2020 to monitor student attendance for children with active cases at the department of children and families, whether school participation is virtual, in-person, or a hybrid thereof, and shall report on any steps taken, or barriers to, ensuring active coordination between said agencies for the purpose of monitoring student attendance

and meaningful school engagement with families who have active cases at the department of children and families.

SECTION 44D. The commissioner of early education and care shall submit a report to the house and senate committees on ways and means and the chairs of the joint committee on education no later than January 15, 2021 regarding potential early education and care financing models that support program stability and sustainability for the purposes of administering the Early Education and Care Public-Private Trust Fund pursuant to section 2IIII of chapter 29 of the General Laws, including, but not limited to, how such models may be supported by the commonwealth’s COVID-19 recovery plan.

SECTION 44E. Notwithstanding the annual reporting deadline of November 1 set forth in subsection (f) of section 2IIII of chapter 29 of the General Laws, inserted by section 13A, the commissioner of early education and care shall file its report pursuant to said subsection (f) of said section 2IIII of said chapter 29 for calendar year 2021 no later than February 1, 2021.”.

On the question on adoption of the consolidated amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F, and on the roll call 152 members voted in the affirmative and 0 in the negative.

**[See Yea and Nay No. 274 in Supplement.]**

Therefore the consolidated amendments (education and local aid, transportation, social services, and veterans) were adopted.

Subsequently a statement of Mr. Mom of Lowell was spread upon the records of the House as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that I was unable to be recorded on the previous roll call. If I had been able to be recorded, I would have voted in the affirmative.

Consolidated amendments adopted,—yea and nay No. 274.

Statement of Mr. Mom of Lowell.

*Recess.*

At four minutes after twelve o’clock A.M. (Wednesday, November 11), on motion of Mr. Jones of North Reading (Mrs. Haddad of Somerset being in the Chair), the House recessed until the following day at eleven o’clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.