

Thursday, November 12, 2020 (at 11:00 o'clock A.M.).

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

Pledge of
allegiance.

Order.

The following order (filed by Ms. Cronin of Easton) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on the Judiciary be granted until Wednesday, December 30, 2020 within which time to make its final report on current House document numbered 4978.

Judiciary,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 5131), ought to be adopted. Under suspension of the rules, on motion of Ms. Cronin, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Mr. Hunt of Boston presented a petition (accompanied by bill, House, No. 5132) of Daniel J. Hunt (with the approval of the mayor and city council) that the city of Boston Police Department be authorized to waive the maximum age requirement for police officers for Daryle Lamonica; and the same was referred to the committee on Public Service. Sent to the Senate for concurrence.

Boston,—
Daryle
Lamonica.

Mrs. Poirier of North Attleborough presented a petition (subject to Joint Rule 12) of Elizabeth A. Poirier relative to the statute of limitations for certain crimes of rape; and the same was referred, under Rule 24, to the committee on Rules.

Rape,—
statute of
limitations.

Reports of Committees.

By Ms. Cronin of Easton, for the committee on the Judiciary, on House, Nos. 54, 58, 59, 60, 61, 62, 63, 64, 71, 76, 1151, 1329, 1331, 1332, 1333, 1334, 1335, 1336, 1337, 1338, 1339, 1340, 1342, 1344, 1345, 1347, 1348, 1349, 1350, 1351, 1352, 1353, 1354, 1355, 1356, 1357, 1359, 1360, 1361, 1362, 1363, 1364, 1365, 1366, 1367, 1368, 1369, 1370, 1371, 1374, 1375, 1376, 1377, 1378, 1379, 1380, 1381, 1382, 1384, 1385, 1386, 1387, 1388, 1389, 1390, 1391, 1392, 1393, 1394, 1395, 1397, 1398, 1399, 1400, 1401, 1402, 1403, 1404, 1405, 1406, 1407, 1408, 1409, 1410, 1411, 1412, 1414, 1415, 1417, 1418, 1419, 1420, 1421, 1422, 1423, 1424, 1425, 1426, 1427, 1428, 1429, 1430, 1431, 1432, 1433, 1434, 1437, 1438, 1439, 1440, 1441, 1442, 1444, 1445, 1446, 1447, 1448, 1449, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1457, 1458, 1459, 1460, 1461, 1462, 1463, 1464, 1465, 1467, 1468, 1469, 1470, 1471, 1472, 1473, 1476, 1477, 1478, 1479, 1480, 1481, 1482, 1483, 1484, 1486, 1489, 1490, 1491, 1493, 1494, 1496, 1497, 1498, 1499, 1500, 1501, 1502, 1503, 1504, 1505, 1506, 1507, 1508, 1509, 1510, 1511, 1512, 1513, 1514, 1515, 1516, 1518, 1519, 1520, 1521, 1522, 1524, 1525, 1526, 1527, 1528, 1529, 1530, 1531, 1532, 1533, 1534, 1535, 1536, 1539, 1540, 1541, 1542, 1543, 1544, 1545, 1546, 1547, 1548, 1549, 1551, 1552, 1553, 1554, 1555, 1556, 1557, 1558, 1559, 1560, 1561, 1563, 1564, 1566, 1567, 1568, 1569, 1570, 1571,

Civil liability,
child welfare,
justice system,
etc.,—
study.

1573, 1574, 1575, 1576, 1577, 1578, 1579, 1580, 1581, 1582, 1583, 1584, 1585, 1586, 1587, 1588, 1590, 3247, 3248, 3249, 3252, 3253, 3254, 3255, 3256, 3257, 3258, 3262, 3264, 3267, 3269, 3270, 3271, 3272, 3273, 3276, 3278, 3279, 3280, 3281, 3282, 3283, 3284, 3285, 3286, 3287, 3288, 3289, 3290, 3291, 3292, 3293, 3294, 3295, 3296, 3297, 3298, 3299, 3300, 3301, 3302, 3303, 3304, 3305, 3306, 3307, 3308, 3309, 3310, 3311, 3312, 3313, 3314, 3315, 3316, 3317, 3318, 3319, 3321, 3322, 3323, 3324, 3327, 3328, 3329, 3333, 3334, 3335, 3336, 3337, 3338, 3339, 3340, 3341, 3342, 3343, 3344, 3345, 3346, 3347, 3348, 3349, 3350, 3351, 3352, 3353, 3354, 3355, 3356, 3357, 3358, 3359, 3360, 3361, 3362, 3363, 3364, 3365, 3366, 3368, 3369, 3370, 3371, 3372, 3373, 3374, 3375, 3376, 3377, 3378, 3379, 3380, 3381, 3382, 3383, 3384, 3385, 3386, 3387, 3389, 3390, 3391, 3393, 3394, 3395, 3396, 3397, 3398, 3399, 3400, 3401, 3402, 3403, 3404, 3405, 3406, 3407, 3408, 3409, 3410, 3411, 3412, 3415, 3416, 3417, 3418, 3419, 3423, 3424, 3425, 3426, 3428, 3429, 3430, 3431, 3432, 3433, 3434, 3435, 3436, 3437, 3438, 3439, 3440, 3441, 3442, 3443, 3444, 3446, 3448, 3449, 3450, 3451, 3453, 3454, 3456, 3458, 3459, 3460, 3461, 3462, 3463, 3464, 3465, 3466, 3467, 3469, 3470, 3471, 3472, 3473, 3474, 3475, 3476, 3477, 3478, 3563, 3564, 3565, 3568, 3569, 3570, 3589, 3607, 3609, 3656, 3658, 3659, 3717, 3718, 3719, 3720, 3721, 3745, 3768, 3769, 3771, 3773, 3774, 3808, 3833, 3834, 3882, 4092, 4136, 4138, 4186 and 4187, an Order relative to authorizing the committee on the Judiciary to make an investigation and study of certain House documents concerning civil liability, child welfare, the justice system, public safety, drug offenses, assault and other Judiciary issues (House, No. 5081) [Representatives Garry of Dracut and Sullivan of Abington dissenting]. 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 asking to be discharged from further consideration of the order; and recommending that the same be referred to the House committee on Rules.

Under Rule 42, the report was considered forthwith; and it was accepted.

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 157 members were recorded as being in attendance.

[See Yea and Nay No. 275 in Supplement.]

Therefore a quorum was present.

Quorum,—
yea and nay
No. 275.

Orders of the Day.

The Senate Bill establishing a sick leave bank for Marshall Bickford, an employee of the Department of Unemployment Assistance (Senate, No. 2925), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third
reading
bill.

The House Bill establishing a sick leave bank for Emily Texeira, an employee of the Bristol County Sheriff's Department (House, No. 5112), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Emily
Texeira,—
sick leave.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by inserting before the enacting clause the following emergency preamble:

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the Bristol county sheriff’s department, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendment was adopted; and the bill (House, No. 5112, amended) was passed to be engrossed. Sent to the Senate for concurrence.

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 requirements and for certain permanent improvements (House, No. 5150, amended), was considered.

General
Appropriation
Bill.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Michlewitz of Boston and other members of the House moved to amend it in section 2, in item 4000-0005, in line 17, by inserting after the word “programs” the following: “; provided further that not less than \$50,000 shall be expended to the South End Community Center’s Community Youth Corp Program; provided further, that not less than \$25,000 shall be expended for the Merrimack Valley Public Safety Youth Center in the city of Lawrence”; and in said item by striking out the figures: “10,000,000” and inserting in place thereof the figures: “10,075,000”;

Consolidated
amendments
(health and human
services, public
health, elder affairs,
mental health and
disability services).

In item 4000-0300, in line 23, by inserting after the word “rates” the following: “; and shall make a supplemental payment not less than \$3,000,000 to any pediatric chronic and rehabilitation long-term care hospital in the commonwealth, above base rates, to compensate for high-complexity pediatric care”, in line 119, by inserting after the year: “2021” the following: “; provided further, that, for fiscal year 2021 and beyond, in establishing Medicaid reimbursement rates for Medicaid eligible inpatient services provided by chronic disease rehabilitation hospitals located in the commonwealth that serve solely children and adolescents, the executive office of health and human services shall apply a multiplier of 1.5 times the hospital’s fiscal year 2020 current inpatient per diem rate in fiscal year 2021; provided further, that for fiscal year 2022 and beyond, such rates of reimbursement shall not be lower than the rates in effect for the prior fiscal year; provided further, that the Mass Health supplemental payment advance of \$1,500,000 made to Franciscan Hospital for Children, Inc. in December of 2019 shall be defined as a grant; provided further, that not less than \$30,000 shall be expended for a western Massachusetts academic medical center with a neonatal intensive care unit within an acute hospital in Hampden county for the purpose of supporting, enhancing and expanding programming associated with its rooming-in program for infants and mothers with opioid use disorder; provided further, that not less than \$125,000 shall be expended for the purposes defined in item 1599-2009 in section 2 of chapter 182 of the acts of 2008”; and in said item by striking out the figures: “113,534,922” and inserting in place thereof the figures: “116,689,922”;

In item 4000-0500, in line 40, by inserting after the word “conditions” the following: “; provided further that not less than \$500,000 shall be appropriated to an organization that is a 501(c)(3) MassHealth Accountable Care Organization solely governed by Federally Qualified Health Centers to support the ongoing work of its partnership with the commonwealth’s Primary Care Association and Federally Qualified Health Centers participating in these shared efforts to advance and sustain

telehealth efforts targeted at reducing and eliminating health disparities”; and in said item by striking out the figures: “5,942,777,046” and inserting in place thereof the figures: “5,943,277,046”;

In item 4000-0700, in line 64, by inserting after the word “purposes” the following: “; provided further, that not less than \$30,000 shall be appropriated to Elder Services of Cape Cod and the Islands, Inc. for the purchase of PPE and other equipment to prevent the spread of disease”; and in said item by striking out the figures: “3,372,845,665” and inserting in place thereof the figures: “3,372,875,665”;

In item 4003-0122 by adding the following: “; provided further, that not less than \$25,000 shall be expended to Casa Dominicana, Inc. to assist in citizenship education, citizenship application assistance, ESL classes, and computer training for low-income adults; and provided further, that not less than \$25,000 shall be expended to the Lawrence Family Development, Inc. to assist in citizenship education, citizenship application assistance, ESL classes and computer training for low-income adults”; and in said item by striking out the figures: “1,526,575” and inserting in place thereof the figures: “1,576,575”;

In item 4110-1000 by adding the following: “; provided further, that not less than \$75,000 shall be expended for the Talking Information Center, Incorporated to provide human voiced broadcasts of local news, articles, and items of interest to visually impaired and otherwise disabled listeners”; and in said item by striking out the figures: “7,174,905” and inserting in place thereof the figures: “7,249,905”;

By inserting after item 4512-0204 the following item:

“4512-0205 For grants and contracts with substance use programs to provide comprehensive prevention, intervention and recovery services; provided that, not less than \$25,000 shall be expended for The Gavin Foundation Inc. to adapt residential treatment facilities in response to the 2019 novel coronavirus pandemic and to support treatment and recovery services; provided further, that not less than \$10,000 shall be expended for the Joseph Nee Collaborative Center for substance abuse treatment and recovery programming; provided further, that not less than \$75,000 shall be expended for Self Esteem Boston Educational Institute Inc.’s direct service and provider training programs; provided further, that not less than \$10,000 shall be expended for substance abuse and addiction awareness and education efforts at the Woburn Coalition Against Substance Abuse; provided further that, not less than \$10,000 shall be expended for substance abuse and addiction awareness and education efforts at the Reading Coalition Against Substance Abuse, Inc.; provided further, that not less than \$32,000 shall be expended for the town of Natick to continue their efforts to fight opiate abuse; provided further, that not less than \$50,000 shall be expended for Baystate Health Eastern Region for a grant program to prevent and treat addiction to opioid and related substances; and provided further, that not less than \$100,000 shall be expended for the city known as the town of Braintree’s community partnership on substance abuse.....\$312,000”;

In item 4512-0206 by adding the following: “; provided that, not less than \$50,000 shall be expended for the 10 Boys and 10 Girls Initiative to promote community based harm reduction; and provided further, that not less than \$30,000 shall be expended to the town of Topsfield for COVID-19 related expenses”; and in

said section by striking out the figures: “4,700,000” and inserting in place thereof the figures: “4,780,000”;

In item 4512-0500 by adding the following: “; provided, that not less than \$50,000 shall be expended for the Forsyth Institute’s Center for Children’s Oral Health to expand its ForsythKids programming focused on children and adolescents and to explore the emerging association between oral health status and academic performance”; and in said item by striking out the figures: “1,734,246” and inserting in place thereof the figures: “1,784,246”;

In item 4513-1020 by striking out the figures: “31,259,772” and inserting in place thereof the figures: “32,259,772”;

In item 4513-1026 by adding the following: “; and provided further, that not less than \$25,000 shall be expended for The Samaritans of Fall River/New Bedford, Inc.”; and in said item by striking out the figures: “6,095,372” and inserting in place thereof the figures: “6,120,372”;

In item 4513-1130, in line 16, by inserting after the word “families” the following: “; provided further, that not less than \$50,000 shall be expended for the Katie Brown Educational Program, Inc. for a pilot instructional initiative, the Train the Trainer program, to train educators and increase the number of Southeastern Massachusetts students who acquire invaluable knowledge about the prevention of relationship violence; provided further, that not less than \$10,000 shall be expended for the purpose of providing additional resources to police officers for domestic violence investigations in the town of Salisbury”; and in said item by striking out the figures: “45,851,295” and inserting in place thereof the figures: “45,911,295”;

In item 4513-1131, in line 11, by inserting after the word “less” the following: “; provided further, that not less than \$50,000 shall be expended for the operation of the Cranberry Health Research Center at the University of Massachusetts at Dartmouth; and provided further, that not less than \$50,000 shall be expended for the Harmony House in the city of Chicopee”; and in said item by striking out the figures: “1,000,000” and inserting in place thereof the figures: “1,100,000”;

In item 4590-0250, in line 15, by inserting after the word “programs” the following: “; provided further, that not less than \$20,000 shall be expended for the funding of a public health nurse to assist in COVID-19 contact tracing, vaccination site planning and preparation and mobilization for COVID-19 vaccine distribution planning in the town of Abington”; and in said item by striking out the figures: “13,773,583” and inserting in place thereof the figures: “13,793,583”;

In item 4590-0915 by adding the following: “; provided further, that Tewksbury hospital shall maintain the same number of beds in fiscal year 2021 as was maintained in fiscal year 2020; provided further, that the Pappas Rehabilitation Hospital for Children shall maintain not less than 120 beds for clients in its inpatient setting to the extent feasible within the appropriation; and provided further, that not less than \$75,000 shall be expended for the Pappas Rehabilitation Hospital for Children Summer Program”; and in said item by striking out the figures: “165,977,256” and inserting in place thereof the figures: “166,052,256”;

In item 4590-1506, in line 6, by inserting after the word “agencies” the following: “; and provided further, that not less than \$50,000 shall be expended for Springfield Partners, Inc. for the AWAKE program in Springfield, to provide comprehensive youth development and violence prevention services to at-risk youth”; and in said item by striking out the figures: “3,000,000” and inserting in place thereof the figures: “3,050,000”;

In item 4590-1507 by adding the following: “; provided further, that not less than \$325,000 shall be expended for the YWCA organizations, which shall be distributed

equally between the Alliance of YWCA's member organizations; provided further, that not less than \$900,000 shall be expended for the Alliance of Massachusetts YMCAs, Inc. which shall be distributed between the alliance's member organizations; provided further, that not less than \$25,000 shall be expended for the Lawrence Sueños Basketball Summer League to support the recreational, social, and health benefits the league provides to low-income youth in the City of Lawrence; and provided further, that not less than \$100,000 shall be expended for the Big Brothers Big Sisters of Massachusetts Bay Mentor 2.0 program"; and in said item by striking out the figures: "1,900,000" and inserting in place thereof the figures: "3,250,000";

In item 5042-5000, in line 5, by inserting after the word "settings" the following: "; provided, that funds shall be expended to provide services to address behavioral health needs arising from the impact of COVID-19, including the impact of remote learning, and services to assist school districts with behavioral health support; provided further, that not less than \$50,000 shall be allocated to the Massachusetts Association for Mental Health, Inc. to partner with the BIRCh Center to develop a plan for establishment of a school based behavioral health technical assistance center"; and in said item by striking out the figures: "94,530,000" and inserting in place thereof the figures: "94,580,000;"

In item 5046-0000, in line 23, by inserting after the word "measured" the following: "; provided further, that not less than \$50,000 shall be expended on a grant to the Massachusetts Chapter of the National Association of Social Workers, for the purpose of providing assistance in connecting consumers to licensed clinical social workers through the Therapy Matcher program; provided further, that not less than \$100,000 shall be expended to the International Institute of New England, Inc. for culturally and linguistically appropriate mental health services for immigrants and refugees who have experienced torture and trauma"; and in said item by striking out the figures: "500,048,605" and inserting in place thereof the figures: "500,198,605";

In item 5095-0015 by adding the following: "; and provided further, that not less than \$25,000 shall be expended to Melrose Wakefield Healthcare, Inc., for direct costs associated with the 2019 novel coronavirus treatment"; and in said item by striking out the figures: "229,635,223" and inserting in place thereof the figures: "229,660,223";

In item 5911-1003 by adding the following: "; and provided further, that regional employment collaboratives shall be funded at not less than the amount funded in fiscal year 2020";

In item 5920-2025 by adding the following: "; and provided further, that not less than \$50,000 shall be expended for the Community Access to the Arts, Inc. in the town of Great Barrington"; and in said item by striking out the figures: "239,513,699" and inserting in place thereof the figures: "239,563,699";

In item 9110-1604 by adding the following: "; and provided further, that no less than \$10,000 shall be expended for the installation of automated external defibrillators at the Liberty Hill Senior Housing Complex in the city of Marlborough"; and in said item by striking out the figures: "7,753,422" and inserting in place thereof the figures: "7,763,422";

In item 9110-1635, in line 27, by inserting after the words "funds" the following: "; provided further, that not less than \$75,000 shall be expended for the Central Boston Elder Services, Inc. for the Technology for Seniors pilot program"; and in said item by striking out the figures: "17,433,295" and inserting in place thereof the figures: "17,508,295";

In item 9110-1900 by adding the following: "; and provided further, that not less than \$375,000 shall be expended for home delivered meals"; and in said item by

striking out the figures: “9,708,808” and inserting in place thereof the figures: “10,083,808”;

In item 9110-9002, in line 6, by inserting after the word “per-elder” the following: “; provided further, that not less than \$25,000 shall be expended for a food storage and distribution center at the Allen Avenue School in North Attleboro to serve the senior population of the North Attleboro Council on Aging; provided further, that not less than \$75,000 shall be expended for the Andover Senior Center in the town of Andover for improvements to its facility; provided further, that not less than \$25,000 shall be expended for education and enrichment programs at the Council on Aging in the city of Lawrence; provided further, that not less than \$50,000 shall be expended for the cost associated with care and services provided at Whipple Senior Center in the town of Weymouth; provided further, that not less than \$100,000 shall be expended for the town of Holbrook to conduct a feasibility study for the design and construction of a new senior center”; and in said item by striking out the figures: “17,000,000” and inserting in place thereof the figures: “17,275,000”;

By inserting after section 13A (inserted by amendment) the following section:

“SECTION 13B. Chapter 29 of the General Laws is hereby amended by inserting after section 2IIIII, inserted by section 13A, the following section:

Section 2JJJJ. (a) There shall be established and set up on the books of the commonwealth a separate fund known as the Nonpublic Ambulance Service Reimbursement Trust Fund to be administered by the secretary of health and human services. There shall be credited to the fund: (i) all revenues generated from the funds collected pursuant to subsection (b) of section 67A of chapter 118E; (ii) an amount equal to any federal financial participation revenues claimed and received by the commonwealth for eligible expenditures made from the fund; (iii) any revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; and (iv) interest earned on any money in the fund. Amounts credited to the fund shall be expended without further appropriation. Money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in subsequent fiscal years. No expenditure shall be made from said fund which shall cause said fund to be in deficit at the close of a fiscal year.

(b) Money in the fund shall be expended for Medicaid payments to nonpublic ambulance services defined in subsection (a) of section 67A of chapter 118E.

(c) Revenues generated from clauses (i) and (ii) of the second sentence of subsection (a) shall be expended exclusively for nonpublic ambulance services defined in subsection (a) of section 67A of chapter 118E and shall not be used to replace payment commitments between the nonpublic ambulance services and the commonwealth. The expenditures shall be established by the executive office of health and human services in a manner consistent with the requirements and conditions of federal financial participation under 42 U.S.C. 1396b(w) and 42 C.F.R. 433.68, including the prohibitions against hold harmless provisions as defined under 42 U.S.C. 1396b(w)(4) and 42 C.F.R. 433.68(f) and shall be made only under federally-approved payment methods and consistent with federal funding requirements and all federal payment limits as determined by the secretary of health and human services. Federal financial participation shall be sought in a manner that achieves the maximum amount of federal revenue such that the assessment amount equals the state share of the qualifying Medicaid ambulance service payments related to this section.

(d) The schedule of payment amounts to be established and distributed by the executive office of health and human services under this section shall be developed

in a manner that: (i) promotes the provider capacity, access and quality management needs of the Medicaid program as those needs are determined by the secretary of health and human services; (ii) considers the cost of services delivered by providers for which the providers are not fully reimbursed or otherwise compensated, including, but not limited to, free care and services delivered in good faith reliance on authorization; (iii) considers existing Medicaid reimbursement rates; (iv) closes the gap between Medicaid rates and average commercial rates; and (v) is proportional, to the extent possible, to the respective ambulance assessed amounts paid by each nonpublic ambulance service relative to this section. The executive office of health and human services shall consult with stakeholders, including the Massachusetts Ambulance Association, Incorporated, in the development and implementation of the payments. In order to accommodate timing discrepancies between the receipt of revenue and related expenditures, the comptroller may certify for payment amounts not to exceed the most recent revenue estimates as certified by the secretary of health and human services to be transferred, credited or deposited under this section.

(e) Annually, not later than September 30, the executive office of health and human services shall file a report with the house and senate committees on ways and means which shall include: (i) a detailed accounting of all money transferred, credited or deposited into and from the fund; (ii) the reasons for any unspent amount in the fund; and (iii) an analysis of the respective uniform assessment paid by nonpublic ambulance services, defined in section 67A of chapter 118E.”;

By inserting after section 14 the following two sections:

“SECTION 14A. Section 9 of chapter 46 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the word ‘home’, in line 23, the first time it appears, the following words:— or who is enrolled in a PACE program as defined in 42 U.S.C. 1396u-4.

SECTION 14B. Said section 9 of said chapter 46, as so appearing, is hereby further amended by striking out, in lines 25 and 26, the words ‘or nursing home’ and inserting in place thereof:— , nursing home or a PACE program as defined in 42 U.S.C. 1396u-4.”;

By inserting after section 23 the following section:

“SECTION 23A. Chapter 118E of the General Laws is hereby amended by inserting after section 67 the following section:—

Section 67A. (a) The following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Ambulance service’, as defined in section 1 of chapter 111C.

‘Executive office’, the executive office of health and human services.

‘Gross patient service revenue’, the total dollar amount of nonpublic ambulance charges for services rendered in a fiscal year.

‘Nonpublic ambulance assessed charges’, gross patient service revenue attributable to all patients less bad debt, charity care and payer discounts.

‘Nonpublic ambulance service’, ambulance services which are not provided by a city or town, county, district or other governmental body and are licensed pursuant to section 6 of chapter 111C.

‘Total nonpublic ambulance service assessment amount’, an amount not less than 1-quarter of 1 per cent lower than the maximum limit for a provider assessment pursuant to 42 C.F.R. 433.68(f), inclusive of an annual amount of \$500,000; provided, that the annual amount of \$500,000 shall be for administrative costs of the executive office.

(b) A nonpublic ambulance service’s liability to the Nonpublic Ambulance Service Reimbursement Trust Fund, established in section 2JJJJ of chapter 29, shall

equal the product of: (i) the ratio of its nonpublic ambulance assessed charges to all nonpublic ambulance services' nonpublic ambulance assessed charges statewide; and (ii) the total nonpublic ambulance service assessment amount. Annually, before October 1, the executive office shall establish each nonpublic ambulance service's liability to said fund using the best data available as determined by the executive office and shall update each nonpublic ambulance service's liability to said fund as updated information becomes available. The executive office shall specify, by regulation an appropriate mechanism for interim determination and payment of a nonpublic ambulance service's liability to the fund. A nonpublic ambulance service's liability to the fund shall, in the case of a transfer of ownership, be assumed by the successor in interest to the nonpublic ambulance service.

(c) There shall be imposed in each fiscal year a uniform assessment upon the nonpublic ambulance assessed charges of all nonpublic ambulance services. Such uniform assessment shall not be implemented unless and until the executive office receives notice of federal matching funds approval from the federal Centers for Medicare and Medicaid Services.

(d) All nonpublic ambulance services, regardless of payment model, shall be subject to the uniform assessment pursuant to subsection (c), including, but not limited to, those nonpublic ambulance services in fee-for-service and managed care arrangements. The uniform assessment shall be set as a percentage of the nonpublic ambulance assessed charges of each such nonpublic ambulance service and, for each fiscal year, the percentage shall be equal to the ratio of: (i) the total nonpublic ambulance service assessment amount for the same fiscal year; to (ii) the total nonpublic ambulance assessed charges in the same fiscal year and as the amount of those charges is determined by the executive office under this section. A nonpublic ambulance service's liability to the fund shall, in the case of a transfer of ownership, be assumed by the successor in interest to the nonpublic ambulance service.

(e) The executive office shall establish an appropriate mechanism for enforcing each nonpublic ambulance service's liability to the fund in the event that a nonpublic ambulance service does not make a scheduled payment to the fund.”;

By inserting after section 32 the following four sections:

“SECTION 32A. Section 226 of chapter 139 of the acts of 2012 is hereby amended by striking out the figure ‘2021’, inserted by section 15 of chapter 142 of the acts of 2019, and inserting in place thereof the following figure- 2023.

SECTION 32B. Section 4 of chapter 19 of the acts of 2020 is hereby amended by striking out the words ‘January 31, 2021’ and inserting in place thereof the following words:— July 31, 2021.

SECTION 32C. Section 5 of said chapter 19 is hereby amended by striking out the words ‘December 31, 2021’ and inserting in place thereof the following words:— October 31, 2022.

SECTION 32D. Section 6 of said chapter 19 is hereby amended by striking out the words ‘January 31, 2021’ and inserting in place thereof the following words:— July 31, 2021.”; and

By adding after section 44E (inserted by amendment) the following section:

“SECTION 44F. The department of public health shall issue a report detailing the rules, regulations, guidance and best practices in place as of the effective date of this act to prevent the transmission of the 2019 novel coronavirus, also known as COVID-19, from patients being discharged from hospital facilities to nursing homes, skilled nursing facilities, rehabilitation centers and other congregate care facilities. The report shall include summaries and references to the rules, regulations, guidance and best practices on: (i) testing patients, including the frequency of testing; (ii)

testing staff, including the frequency of testing; (iii) protocols related to non-COVID-19 hospitalizations, including discharge procedures; (iv) protocols related to COVID-19 hospitalizations, including discharge procedures; (v) personal protective equipment for patients over 70 years of age, including for staff who directly treat said patients; and (vi) precautions for the transfer of patients from a hospital facility to a nursing home, skilled nursing facility, rehabilitation center or other congregate care facility.

No later than February 1, 2021, the department of public health shall make the report publicly available on the department's website and submit the report to the clerks of the house and senate, the joint committee on public health and the joint committee on elder affairs.”.

On the question on adoption of the 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 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 276 in Supplement.]

Therefore the consolidated amendments (health and human services, public health, elder affairs, mental health and disability services) were adopted.

Pending the question on passing the bill, as amended, to be engrossed, at twenty-five minutes before two o'clock P.M., on motion of Mr. Hill of Ipswich (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-six minutes before three o'clock, the House was called to order with Mr. Donato in the Chair.

Ms. Sullivan of Abington and other members of the House then moved to amend the bill by adding the following section:

“SECTION 47. (a) Notwithstanding any general or special law to the contrary, there shall be a special commission established to study and determine best practices to ensure the safety of blind persons in public walkways and intersections. The commission, in conjunction with the Massachusetts Commission for the Blind, shall be tasked with, but not be limited to, reviewing the following: existing roadway and traffic policies aimed at ensuring the safety of the blind and visually impaired; current use of accessible pedestrian signals; and new technology available to improve upon the safety of blind and visually impaired persons, particularly in cities and highly congested areas.

(b) The commission shall consist of 9 members: the commissioner of the Massachusetts commission for the blind, or a designee; the chief executive officer of the Massachusetts department of transportation, or a designee; the commissioner of the department of conservation and recreation, or a designee; the executive director of the disability law center, or a designee; the secretary of the executive office of public safety and security, or a designee, and four people to be appointed by the governor, two of whom must be advocates for the blind and visually impaired community, and two of whom must be experts in roadway safety and accessibility technology.

(c) The commission shall file its report and findings, along with any recommendations for legislation or executive action, with the secretary of administration and finance, and the chairs of committees as appropriate in light of the recommendations, which may include but shall not be limited to the joint committee on children, families, and persons with disabilities, the joint committee on transportation, the joint committee on public safety and homeland security, the chair of the senate and house committees on bonding, capital expenditures and state assets, and the clerks of the senate and the house of representatives within 1 year of the passage of this act.”.

Consolidated amendments adopted,—yea and nay No. 276.

Recess.

The amendment was rejected.

Representatives Mahoney of Worcester, Gouveia of Acton and Devers of Lawrence then moved to amend the bill by adding the following section:

“SECTION 47. Section 21 of chapter 157 of the acts of 2018 is hereby amended by striking out in the last paragraph the date ‘January 1, 2020,’ and inserting in place thereof the following: January 1, 2022.”.

The amendment was adopted.

Mr. Mariano of Quincy being in the Chair,—

Ms. Cronin of Easton and other members of the House then moved to amend the bill by inserting after section 22 the following thirteen sections:—

“SECTION 22A. Section 12F of chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 20, the words ‘abortion or’.

SECTION 22B. Said chapter 112 is hereby further amended by striking out section 12K, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:—

Section 12K. As used in section 12L through section 12T, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Abortion’, any medical treatment intended to induce the termination of, or to terminate, a clinically diagnosable pregnancy except for the purpose of producing a live birth; provided, however, that the term abortion shall not include providing care related to a miscarriage.

‘Hospital’, an institution as defined in section 52 of chapter 111 of the General Laws and duly licensed pursuant to section 51 of chapter 111 of the General Laws.

‘Nurse midwife’, a nurse who is designated as a certified nurse midwife by the board of registration in nursing pursuant to section 80B.

‘Nurse practitioner’, a nurse who is designated as a certified nurse practitioner by the board of registration in nursing pursuant to section 80B.

‘Physician’, a person registered with the board of registration in medicine to practice medicine within the commonwealth.

‘Physician assistant’, a person who is a graduate of an approved program for the training of physician assistants who is supervised by a physician in accordance with sections 9C to 9H, inclusive.

‘Pregnancy’, the presence of an implanted human embryo or fetus in the uterus.

SECTION 22C. Said chapter 112 is hereby further amended by striking out section 12L, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:—

Section 12L. A physician, physician assistant, nurse practitioner, or nurse midwife may perform an abortion consistent with the scope of their practice and license if, in their best medical judgment, the pregnancy has existed for less than 24 weeks.

SECTION 22D. Section 12M of said chapter 112, as so appearing, is hereby amended by striking out, in line 3, the words ‘to save’ and inserting in place thereof the following words:— , in the best medical judgment of the physician, to preserve.

SECTION 22E. Said section 12M of said chapter 112, as so appearing, is hereby amended by striking out, in lines 3 to 5, inclusive, the words ‘mother, or if a continuation of her pregnancy will impose on her a substantial risk of grave impairment of her’ and inserting in place thereof the following words:— patient, or if it is necessary, in the best medical judgment of the physician, to preserve the patient’s.

SECTION 22F. Said section 12M of said chapter 112, as so appearing, is hereby amended by inserting after the word ‘health’, in line 5, the following words:— , or, in the best medical judgment of the physician, an abortion is warranted because of a lethal fetal anomaly incompatible with sustained life outside the uterus.

SECTION 22G. Section 12N of said chapter 112, as so appearing, is hereby amended by striking out, in line 6, the figure ‘12U’ and inserting in place thereof the following figure:— 12T.

SECTION 22H. Section 12O of said chapter 112 of the General Laws is hereby repealed.

SECTION 22I. Said chapter 112 is hereby further amended by striking out section 12P, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:—

Section 12P. If an abortion is performed pursuant to section 12M, the room where the abortion is performed shall maintain life-supporting equipment, as defined by the department of public health, to enable the physician performing the abortion to take appropriate steps, in keeping with good medical practice and consistent with the procedure being used, to preserve the life and health of a live birth and the patient.

SECTION 22J. Said section 12Q of said chapter 112 of the General Laws, as so appearing, is hereby further amended by striking out, in line 4, the words ‘delivered to the physician performing the abortion’ and inserting in place thereof the following word:— obtained.

SECTION 22K. Said chapter 112 is hereby further amended by striking out section 12R and inserting in place thereof the following section:—

Section 12R. The commissioner of public health shall collect aggregate data on abortions performed by a physician, physician assistant, certified nurse practitioner, or certified nurse midwife on a form promulgated by the commissioner which shall include, but not be limited to, the following information: the date and place of the abortions performed, the ages of the patients, the method used to perform the abortions, and the gestational age when the abortions were performed. The commissioner shall prepare from these forms such statistical tables with respect to maternal health, abortion procedures, and gestational age as the commissioner deems useful and shall make an annual report thereof to the general court. Nothing in this section shall be construed to limit the authority of the department of public health to require reports pursuant to sections 24A and 25A of chapter 111.

SECTION 22L. Said chapter 112 is hereby further amended by striking out section 12S, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:—

Section 12S. No abortion may be performed without first obtaining the written informed consent of the patient seeking an abortion. The commissioner of public health shall prescribe a form to use in obtaining such consent. A patient seeking an abortion shall sign the consent form in advance of the time for which the abortion is scheduled, except in an emergency requiring immediate action. The patient shall then return it to the physician, physician assistant, nurse practitioner, or nurse midwife performing the abortion who shall maintain it in their files and who shall destroy it 7 years after the date upon which the abortion is performed.

The consent form and any other forms, transcript of evidence, or written findings or conclusions of a court, shall be confidential and shall not be released to any other person except by the patient’s written informed consent or by a proper judicial order, other than to the patient themselves, to whom such documents relate, the physician, physician assistant, nurse practitioner, or nurse midwife who performed the abortion, or any person whose consent is required pursuant to this section, or under the law. If

a patient is less than 16 years of age and has not married, an abortion shall not be performed unless the physician, physician assistant, nurse practitioner, or nurse midwife first obtains both the consent of the patient and that of 1 of the patient's parents or guardians, except as hereinafter provided. In deciding whether to grant such consent, a patient's parent shall consider only the patient's best interests. If a patient less than 16 years of age has not married and if the patient is unable to obtain the consent of 1 of their parents or 1 of their guardians to the performance of an abortion, or if they elect not to seek the consent of a parent or a guardian, or in the case of incest, or if the patient is in the custody of the department of children and families, a judge of the superior court department of the trial court shall, upon petition, or motion, and after an appropriate hearing held in person or via teleconference, authorize a physician, physician assistant, nurse practitioner, or nurse midwife to perform the abortion if said judge determines that the patient is mature and capable of giving informed consent to the procedure or, if said judge determines that the patient is not mature, that performance of an abortion would be in the patient's best interests. A patient less than 16 years of age may participate in proceedings in the superior court department of the trial court on their own behalf, and the court may appoint a guardian ad litem for the patient. The court shall, however, advise the patient that they have a right to court appointed counsel, and shall, upon the patient's request, provide the patient with such appointed counsel. Proceedings in the superior court department of the trial court under this section shall be confidential and shall be given such precedence over other pending matters that the court may reach a decision promptly and without delay so as to serve the best interests of the patient. The chief justice of the superior court department of the trial court shall establish procedures for conducting proceedings under this section promptly and without delay including, but not limited to, procedures to accommodate the patient outside of normal court hours. A judge of the superior court department of the trial court who conducts proceedings under this section shall make in writing specific factual findings and legal conclusions supporting their decision and shall order a record of the evidence to be maintained including the findings and conclusions.

SECTION 22M. Section 12U of said chapter 112 of the General Laws is hereby repealed.”

Pending the question on adoption of the amendment, Ms. Cronin moved to amend it by striking out the text of said amendment and inserting in place thereof the following:

“SECTION 22A. Section 12F of chapter 112 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 20, the words ‘abortion or’.

SECTION 22B. Said chapter 112 is hereby further amended by striking out section 12K, as so appearing, and inserting in place thereof the following section:—

Section 12K. As used in section 12L to section 12T, inclusive, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

‘Abortion’, any medical treatment intended to induce the termination of, or to terminate, a clinically diagnosable pregnancy except for the purpose of producing a live birth; provided, however, that the term abortion shall not include providing care related to a miscarriage.

‘Hospital’, an institution as defined in section 52 of chapter 111 and duly licensed pursuant to section 51 of chapter 111.

‘Nurse midwife’, a nurse who is designated as a certified nurse midwife by the board of registration in nursing pursuant to section 80B.

‘Nurse practitioner’, a nurse who is designated as a certified nurse practitioner by the board of registration in nursing pursuant to section 80B.

‘Physician’, a person registered with the board of registration in medicine to practice medicine within the commonwealth.

‘Physician assistant’, a person who is a graduate of an approved program for the training of physician assistants who is supervised by a physician in accordance with sections 9C to 9H, inclusive.

‘Pregnancy’, the presence of an implanted human embryo or fetus in the uterus.

SECTION 22C. Said chapter 112 is hereby further amended by striking out section 12L, as so appearing, and inserting in place thereof the following section:—

Section 12L. A physician, physician assistant, nurse practitioner or nurse midwife may perform an abortion consistent with the scope of their practice and license if, in their best medical judgment, the pregnancy has existed for less than 24 weeks.

SECTION 22D. Section 12M of said chapter 112, as so appearing, is hereby amended by striking out, in line 3, the words ‘to save’ and inserting in place thereof the following words:—, in the best medical judgment of the physician, to preserve.

SECTION 22E. Said section 12M of said chapter 112, as so appearing, is hereby further amended by striking out, in lines 3 to 5, inclusive, the words ‘mother, or if a continuation of her pregnancy will impose on her a substantial risk of grave impairment of her’ and inserting in place thereof the following words:— patient, or if it is necessary, in the best medical judgment of the physician, to preserve the patient’s.

SECTION 22F. Said section 12M of said chapter 112, as so appearing, is hereby further amended by inserting after the word ‘health’, in line 5, the following words:—, or, in the best medical judgment of the physician, an abortion is warranted because of a lethal fetal anomaly that is incompatible with sustained life outside the uterus.

SECTION 22G. Section 12N of said chapter 112, as so appearing, is hereby amended by striking out, in line 6, the figure ‘12U’ and inserting in place thereof the following figure:— 12T.

SECTION 22H. Section 12O of said chapter 112 is hereby repealed.

SECTION 22I. Said chapter 112 is hereby further amended by striking out section 12P, as appearing in the 2018 Official Edition, and inserting in place thereof the following section:—

Section 12P. If an abortion is performed pursuant to section 12M, the room where the abortion is performed shall maintain life-supporting equipment, as defined by the department of public health, to enable the physician performing the abortion to take appropriate steps, in keeping with good medical practice and consistent with the procedure being used, to preserve the life and health of a live birth and the patient.

SECTION 22J. Section 12Q of said chapter 112, as so appearing, is hereby amended by striking out, in line 4, the words ‘delivered to the physician performing the abortion’ and inserting in place thereof the following word:— obtained.

SECTION 22K. Said chapter 112 is hereby further amended by striking out section 12R, as so appearing, and inserting in place thereof the following section:—

Section 12R. The commissioner of public health shall collect aggregate data on abortions performed by a physician, physician assistant, certified nurse practitioner or certified nurse midwife on a form promulgated by the commissioner which shall include, but not be limited to, the following information: the date and place of the abortions performed, the ages of the pregnant patients, the method used to perform the abortions and the gestational age when the abortions were performed. The commissioner shall prepare from these forms such statistical tables with respect to

maternal health, abortion procedures and gestational age as the commissioner deems useful and shall make an annual report thereof to the general court. Nothing in this section shall be construed to limit the authority of the department of public health to require reports pursuant to sections 24A and 25A of chapter 111.

SECTION 22L. Said chapter 112 is hereby further amended by striking out section 12S, as so appearing, and inserting in place thereof the following section:—

Section 12S. No abortion may be performed without first obtaining the written informed consent of the patient seeking an abortion. The commissioner of public health shall prescribe a form to use in obtaining such consent. A patient seeking an abortion shall sign the consent form in advance of the time for which the abortion is scheduled, except in an emergency requiring immediate action; provided, however, that this requirement shall not impose any waiting period between the signing of the consent form and the patient obtaining the abortion. The patient shall then return it to the physician, physician assistant, nurse practitioner or nurse midwife performing the abortion who shall maintain it in their files and who shall destroy it 7 years after the date upon which the abortion is performed.

The consent form and any other forms, transcript of evidence or written findings or conclusions of a court, shall be confidential and shall not be released to any other person except by the patient's written informed consent or by a proper judicial order, other than to the patient themselves, to whom such documents relate, the physician, physician assistant, nurse practitioner or nurse midwife who performed the abortion, or any person whose consent is obtained pursuant to this section, or under the law. If a patient is less than 16 years of age and has not married, an abortion shall not be performed unless the physician, physician assistant, nurse practitioner or nurse midwife first obtains both the consent of the patient and that of 1 of the patient's parents or guardians, except as hereinafter provided. In deciding whether to grant such consent, a patient's parent shall consider only the patient's best interests. If a patient is less than 16 years of age, has not married and if the patient is unable to obtain the consent of 1 of their parents or 1 of their guardians to the performance of an abortion, or if they elect not to seek the consent of a parent or a guardian, or in the case of incest, or if the patient is in the custody of the department of children and families, a judge of the superior court department of the trial court shall, upon petition, or motion, and after an appropriate hearing held either in person or via teleconference at the option of the patient, authorize a physician, physician assistant, nurse practitioner or nurse midwife to perform the abortion if said judge determines that the patient is mature and capable of giving informed consent to the procedure or, if said judge determines that the patient is not mature, that performance of an abortion would be in the patient's best interests. A patient less than 16 years of age may participate in proceedings in the superior court department of the trial court on their own behalf, and the court may appoint a guardian ad litem for the patient. The court shall, however, advise the patient that they have a right to court appointed counsel, and shall, upon the patient's request, provide the patient with such appointed counsel. Proceedings in the superior court department of the trial court under this section shall be confidential and shall be given such precedence over other pending matters that the court may reach a decision promptly and without delay so as to serve the best interests of the patient. The chief justice of the superior court department of the trial court shall establish procedures for conducting proceedings under this section promptly and without delay including, but not limited to, procedures to accommodate the patient outside of normal court hours. A judge of the superior court department of the trial court who conducts proceedings under this section shall make in writing specific factual findings and legal conclusions supporting their decision and shall

order a record of the evidence to be maintained including the findings and conclusions.

SECTION 22M. Section 12T of said chapter 112, as so appearing, is hereby amended by striking out, in lines 1 through 2, inclusive and line 6, the words ‘sections twelve O or twelve P’ and inserting in place thereof the following words:— section 12P.

SECTION 22N. Section 12U of said chapter 112 is hereby repealed.”.

Pending the question on adoption of the further amendment, Mr. Hill of Ipswich asked for a count to ascertain if a quorum was present. The Chair (Mr. Mariano of Quincy), determined that a quorum was not present.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 157 members were recorded as being present.

[See Yea and Nay No. 277 in Supplement.]

Therefore a quorum was present.

After debate on the question on adoption of the further amendment, the sense of the House was taken by yeas and nays, at the request of Ms. Cronin of Easton; and on the roll call (Mr. Donato of Medford being in the Chair) 108 members voted in the affirmative and 49 in the negative.

[See Yea and Nay No. 278 in Supplement.]

[Mr. Devers of Lawrence answered “Present” in response to his name].

Therefore the further amendment was adopted, thus precluding a vote on the pending amendment.

Ms. Hogan of Stow and other members of the House then moved to amend the bill by adding the following section:

“SECTION 48. There shall be an interagency task force to review and investigate water and ground contamination of per- and polyfluoroalkyl substances across the commonwealth. The task force shall consist of 19 members: 3 members who shall be appointed by the senate president, 1 of whom shall serve as co-chair; 1 of whom shall be a scientist with expertise in per- and polyfluoroalkyl substance-contaminated water; 1 member who shall be appointed by the minority leader of the senate; 3 members who shall be appointed by the speaker of the house of representatives, 1 of whom shall serve as co-chair; 1 of whom shall be a physician trained in environmental medicine; 1 member who shall be appointed by the minority leader of the house of representatives; the attorney general or their designee; the secretary of the executive office of energy and environmental affairs or their designee; the secretary of the executive office of public safety and security or their designee; the commissioner of the department of environmental protection or their designee; the commissioner of the department of public health or their designee; the commissioner of the department of agricultural resources or their designee; the director of the Massachusetts emergency management agency or their designee; the fire marshal of the department of fire services or their designee; the executive director of the Massachusetts Municipal Association, Inc. or their designee; the executive director of the Massachusetts Water Resources Authority or their designee; and the executive director of the Massachusetts Water Works Association, Inc. or their designee.

The task force shall: (i) gather and review information regarding known locations of per- and polyfluoroalkyl substances detection and create response plan strategies; (ii) identify significant data gaps in the knowledge of per- and polyfluoroalkyl substances and develop recommendations to address the gaps; (iii) identify opportunities for public education regarding per- and polyfluoroalkyl substances contamination and the effects of its exposure on public health and the environment; (iv) identify the sources of per- and polyfluoroalkyl substances

Quorum.

Quorum,—
yea and nay
No. 277.

Further
amendment
adopted,—
yea and nay
No. 278.

contamination and exposure pathways that pose the greatest risk to public health and the environment; (v) examine the benefits and burdens of various treatment and disposal options for per- and polyfluoroalkyl substances contaminated media; (vi) assess how state agencies can most effectively use their existing authority and resources to reduce or eliminate priority risks from per- and polyfluoroalkyl substances contamination; (vii) determine the inventory and use of fluorinated aqueous forming foam in firefighting and fire training activities and evaluate effective non-fluorinated alternatives; (viii) examine data regarding per- and polyfluoroalkyl substances contamination in freshwater fish and marine organisms and determine whether further examination is warranted; (ix) examine and estimate the cost to mitigate per- and polyfluoroalkyl substances contamination in known locations across the commonwealth; and (x) limit exposure of Massachusetts residents to PFAS through food packaging.

The task force shall file a report of its findings and recommendations, together with drafts of legislation necessary to carry those recommendations into effect, by filing the same with the clerks of the senate and the house of representatives, the chairs of the senate and house committees on ways and means, the senate and house chairs of the joint committee on environment, natural resources and agriculture, the senate and house chairs of the joint committee on public health, the senate and house chairs of the joint committee on the judiciary and the senate and house chairs of the joint committee on public safety and homeland security not later than December 31, 2021.”.

The amendment was adopted.

At five minutes before eight o'clock P.M., on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House recessed until twenty-three minutes after eight o'clock; and at twenty-seven minutes after eight o'clock, the House was called to order with Mr. Donato in the Chair.

Mr. Michlewitz of Boston and other members of the House then moved to amend the bill in section 2, in item 0330-0300, in line 31, by inserting after the word “litigants” the following: “; provided further, that not less than \$75,000 shall be expended for programs providing direct legal assistance in the area of tenants’ rights sponsored by the University of Massachusetts school of law”; and in said item by striking out the figures: “270,730,477” and inserting in place thereof the figures: “270,805,477”;

In item 0337-0002 by adding the following: “; provided, that not less than \$125,000 shall be expended for the Worcester county court-appointed special advocates program; provided further, that not less than \$56,000 shall be expended for the Franklin and Hampshire county court-appointed special advocates program; provided further, that not less than \$87,995 shall be expended for the Hampden county court-appointed special advocates program; provided further, that not less than \$62,500 shall be expended for the Essex county court-appointed special advocates program; provided further, that not less than \$100,000 shall be expended for the Boston court-appointed special advocates program; and provided further, that not less than \$26,998 shall be expended for the Berkshire county court-appointed special advocates program”; and in said item by striking out the figures: “19,998,233” and inserting in place thereof the figures: “20,456,726”;

In item 0810-1205 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the SAFE Coalition Incorporated to provide support, education, treatment options, and coping mechanisms for those affected by substance use disorder in the city known as the town of Franklin”; and in said item by striking out the figures: “1,836,180” and inserting in place thereof the figures: “1,886,180”;

Recess.

Consolidated amendments (constitutional officers and state administration, public safety, and judiciary).

In item 1599-0026, in line 1, by inserting after the word “improvements” the following: “provided, that not less than \$1,000,000 shall be expended for an incentive program to be run by the community compact cabinet for communities and municipalities engaging in the use of best practices; provided further, that not less than \$135,000 shall be expended for a rehabilitation project for the Chevalier theater in Medford; provided further, that not less than \$10,000 shall be expended for 2019 novel coronavirus related expenses, services and supplies including for food banks and mental health services in Millbury; provided further, that not less than \$15,000 shall be expended for youth and family services programs including food banks and mental health services in the town of Auburn; provided further, that not less than \$20,000 shall be expended for a handicap ramp at the Merrimac town hall in the town of Merrimac; provided further, that not less than \$50,000 shall be expended for the implementation of the disabilities act self evaluation and transition plan for the town of Milford; provided further, that not less than \$50,000 shall be expended for costs of repairs to damage caused by climate change in Belmont; provided further, that not less than \$25,000 shall be expended for maintenance and repair of open spaces in the town of Westport, including athletic fields and other spaces providing fresh air and exercise during the 2019 novel coronavirus; provided further, that not less than \$25,000 shall be expended for an upgrade of safety equipment and fire alarms at the Lunenburg primary school in the town of Lunenburg; provided further, that not less than \$50,000 shall be expended for the Russell street elementary school in the town of Littleton”; and in said item by striking out the figures: “3,600,000” and inserting in place thereof the figures: “4,380,000”;

In item 1790-0100 by adding the following: “; provided further, that not less than \$60,000 shall be expended for the town of Belmont information technology department for additional disk storage; and provided further, that not less than \$60,000 shall be expended for the digitization of municipal records in the town of Wellesley”; and in said item by striking out the figures: “3,105,778” and inserting in place thereof the figures: “3,225,778”;

In item 8000-0600 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the purposes of public safety in the town of Saugus; provided further, that not less than \$15,000 shall be expended for public health and safety improvements in the town of Grafton; provided further, that not less than \$15,000 shall be expended for public health and safety improvements in the town of Upton; provided further, that not less than \$50,000 shall be expended to the Stoneham police department to modernize its emergency equipment; provided further, that not less than \$50,000 be expended for the purposes of improving public safety in the town of North Reading”; and in said item by striking out the figures: “3,614,795” and inserting in place thereof the figures: “3,794,795”;

In item 8000-0655 by adding the following: “; provided further, that not less than \$50,000 shall be expended for community at risk support services for public safety in the city of Fall River”; and in said item by striking out the figures: “4,000,000” and inserting in place thereof the figures: “4,050,000”;

In item 8100-0111, in lines 26 and 27, by striking out the following: “4 per cent of the value of the grant” and inserting in place thereof the following: “7 per cent of the grant”; and in said item by striking out the figures: “11,000,000” and inserting in place thereof the figures: “11,330,000”;

In item 8100-1001, in line 23, by inserting after the word “services” the following: “; provided further, that not less than \$1,030,000 shall be expended for the payroll costs of the state police directed patrols; provided further, that not less than \$30,000 shall be expended for Troop A to conduct mounted, directed patrols

throughout Revere Beach, the Lynn Fells and the Middlesex Fells Reservation Park and other identified areas; provided further, that subject to appropriation, communities receiving funds for directed patrols in fiscal year 2008 shall receive an equal disbursement of funds in proportion to the current appropriation in fiscal year 2021; provided further, that funds shall be expended for directed patrols at Constitution Beach in East Boston; provided further, that not less than \$95,000 shall be expended for additional patrols for the summer season at Wollaston Beach and Furnace Brook Parkway in Quincy”; and in said item by striking out the figures: “287,418,253” and inserting in place thereof the figures: “288,448,253”;

In item 8324-0000 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the Norfolk County Regional Fire and Rescue Dispatch Center; provided further, that not less than \$50,000 shall be expended to the fire department of the town of Winchester for the modernization of protective emergency equipment; provided further, that not less than \$25,000 shall be expended for the installation of security cameras in the public portions of 2 fire department substations in the city of Marlborough; provided further, that not less than \$50,000 shall be expended for emergency radio communications upgrades for the Fire Chiefs’ Association of Bristol county for the partial cost of the implementation of developing and upgrading the emergency radio communications system in Bristol county; provided further, that not less than \$50,000 shall be expended to the town of Wilmington for the purchase of emergency vehicle laptops and other secure communications equipment to allow for coordinated COVID-19 police and fire response and to meet patient privacy concerns; provided further, that not less than \$250,000 shall be expended for the Boston Fire Department Training Academy”; and in said item by striking out the figures: “28,258,334” and inserting in place thereof the figures: “28,733,334”;

In item 8700-0001, in line 6, by inserting after the word “grades” the following: “; provided further, that not less than \$50,000 shall be allocated to fully fund the National Guard’s Protection Partnership Program; provided further, that not less than \$50,000 shall be expended for the Massachusetts Veterans Oral History Project to be conducted by Home of the Brave, Inc., in conjunction with the Massachusetts National Guard Museum and Archives”; and in said item by striking out the figures: “11,136,893” and inserting in place thereof the figures: “11,236,893”;

In item 8900-0001 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the Dismas House of Massachusetts, Inc. in Worcester; provided further, that the department shall expend not less than \$1,000,000 for municipalities hosting department of correction facilities”; and in said item by striking out the figures: “685,058,991” and inserting in place thereof the figures: “686,108,991”;

In item 8900-1100 by adding the following: “; and provided further, that not less than \$50,000 shall be expended for the department of correction to cover costs associated with coordinating and supporting partnerships with higher education institutions that provide post-secondary education programs in state prisons”; and in said item by striking out the figures: “1,500,000” and inserting in place thereof the figures: “1,550,000”;

In item 8910-0102 by adding the following: “; provided further, that not less than \$25,000 shall be expended for Dispute Resolution Services, Incorporated in Springfield to provide community mediation services to ex-offenders for conflict resolution within the community, general community mediation services to the residents of Hampden county to prevent conflict escalation that would require police, court and corrections interventions and involvement, and training for correctional

officers and other staff members as requested in mediation and conflict resolution techniques”; and in said item by striking out the figures: “76,799,582” and inserting in place thereof the figures: “76,824,582”;

By inserting after section 3 the following section:

“SECTION 3A. Subdivision (2) of section 178K of chapter 6 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in lines 119 and 120, the words ‘and the department of mental health’ and inserting in place thereof the following words:— , the department of mental health and the department of developmental services.”;

By inserting after section 14B (inserted by amendment) the following two sections:

“SECTION 14C. Section 4 of chapter 33 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘lancers’, in line 3, the following words:— the 54th Massachusetts Volunteer Regiment.

SECTION 14D. Said chapter 33 of the General Laws, as so appearing, is hereby further amended by inserting after section 4A the following section:—

Section 4B. The 54th Massachusetts Volunteer Regiment shall be organized as the commander-in-chief directs and may retain their name and the right to wear distinctive uniforms; provided, however, that such uniforms shall be provided by the adjutant general. The 54th Massachusetts Volunteer Regiment may retain their methods of selecting officers and conducting their internal affairs consistent with the laws of the commonwealth and of the United States. The 54th Massachusetts Volunteer Regiment may use land and facilities belonging to the commonwealth for their activities, equipment and exercises, without charge, and may receive from the commonwealth, its departments, divisions or bureaus or the federal government without charge, any surplus equipment, goods or other materials, as are available; provided, that such equipment, goods or other materials, shall remain the property of the commonwealth and shall be accounted for as such.”;

By striking out section 17 and inserting in place thereof the following section:

“SECTION 17. Said chapter 62C is hereby amended by inserting after section 16A the following section:

Section 16B. (a) Notwithstanding the due date of the return as set forth in section 16 or the payment date as set forth in section 32, or any other general or special law to the contrary, a payment of taxes shall be made in advance of filing of the return required under subsections (g) or (h) of said section 16 but not later than the twenty-fifth day of the last month of the filing period; provided, however, that such payment shall include tax collected for any taxable sale made during the days in the filing period occurring on or before the twenty-first day of the last month of the filing period; provided further, that this section shall not apply to operators whose cumulative room occupancy excise liability in the immediately preceding calendar year with respect to returns filed pursuant to said subsection (g) of said section 16 was not more than \$150,000; provided further, that this section shall not apply to vendors whose cumulative sales tax liability in the immediately preceding calendar year with respect to returns filed pursuant to said subsection (h) of said section 16 was not more than \$150,000; provided further, that this section shall not apply to a materialman who files a return with the commissioner pursuant to said subsection (h) of said subsection 16; and provided further, that tax collected for any taxable sale made during the remaining days of the filing period for which tax was not previously remitted shall be remitted at the time the return for that filing period is required to be filed.

(b) If any person required by this section to make a payment of taxes in advance of the filing fails to make such payment on or before the date prescribed, there shall be imposed upon such person a penalty of 5 per cent of the amount of the underpayment unless it is shown that such failure is due to reasonable cause and not to willful neglect. For purposes of this subsection, the term ‘underpayment’ means the amount by which the tax required to be so made exceeds the amount, if any, thereof made on or before the date prescribed.”;

By inserting after section 32D (inserted by amendment) the following three sections:

“SECTION 32E. Section 32 of chapter 34 of the acts of 2019 is hereby amended by striking out the words ‘March 31, 2020’ and inserting in place thereof the following words:— December 31, 2021.

SECTION 32F. Section 90 of chapter 41 of the acts of 2019 is hereby amended by striking out the words ‘December 31, 2019’ and inserting in place thereof the following words:— July 31, 2021.

SECTION 32G. Subsection (a) of section 14 of chapter 53 of the acts of 2020 is hereby amended by striking out the words ‘in calendar year 2020’ and inserting in place thereof the following:— in calendar years 2020 and 2021.”;

By inserting after section 42A (inserted by amendment) the following section:

“SECTION 42B. (a) Notwithstanding any general or special law to the contrary, if the committee for public counsel services determines that there exists a limited availability of qualified private counsel appointed or assigned to care and protection cases in any county, the committee may, by a majority vote, declare an emergency in that county.

(b) Upon the declaration of an emergency pursuant to subsection (a), the committee may authorize a temporary increase in the rate of compensation for private counsel appointed or assigned to care and protection cases in that county who, prior to the declaration of an emergency, have billed not less than 350 hours in the current fiscal year as private counsel appointed or assigned to care and protection cases or who have billed not less than 700 hours in the previous fiscal year as private counsel appointed or assigned to care and protection cases. The committee shall designate a certain minimum number of cases to be taken by each private appointed counsel who is designated eligible to receive the emergency temporary rate of compensation. The temporary increase in the rate of compensation shall be for new case assignments made on or after the date of the declaration of an emergency pursuant to subsection (a). The temporary increase in the rate of compensation shall apply for the duration of those new case assignments. The temporary increase in the rate of compensation for private counsel appointed or assigned to care and protection cases approved by the committee shall not exceed \$75 per hour. If the committee determines that the increase in the rate of compensation has not resulted in a sufficient increase in the number of care and protection assignments being taken by private counsel, the committee may modify the eligibility criteria. The chief counsel shall notify the chairs of the house and senate committees on ways and means upon any such modification.

(c) Upon the declaration of an emergency pursuant to subsection (a), the chief counsel of the committee may waive the annual cap on billable hours for private counsel appointed or assigned to represent clients in care and protection cases in the specified county; provided, however, that any counsel appointed or assigned to such cases shall not be paid for any time billed in excess of 2,000 billable hours.

(d) The committee may limit the availability of the rate of compensation authorized under subsection (b) based on the committee’s monitoring and evaluation

of the performance of counsel pursuant to section 10 of chapter 211D of the General Laws or to attorneys whose offices are located in particular counties.”; and

By inserting after section 44F (inserted by amendment) the following two sections:

“SECTION 44G. Section 42B is hereby repealed.

SECTION 44H. Section 44G shall take effect on July 1, 2021.”.

On the question on adoption of the 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 157 members voted in the affirmative and 0 in the negative.

[See Ye and Nay No. 279 in Supplement.]

Therefore the consolidated amendments (constitutional officers and state administration, public safety, and judiciary) were adopted.

Representatives Haddad of Somerset and Khan of Newton then moved to amend the bill by adding the following section:

“SECTION 49. Notwithstanding any general or special law to the contrary, the bureau of purchased services in the operational services division shall determine prices for programs under chapter 71B of the General Laws in fiscal year 2021 by increasing the final fiscal year 2020 price by the rate of inflation as determined by the division. The division shall adjust prices for extraordinary relief pursuant to subsection (4) of 808 CMR 1.06. The division shall accept applications for program reconstruction and special circumstances in fiscal year 2021. The division shall authorize the annual price for out-of-state purchasers requested by a program, not to exceed a maximum price determined by the bureau, by identifying the most recent price calculated for the program and applying the estimated rate of inflation for each year, as determined by the bureau under section 22N of chapter 7 of the General Laws, in which the rate of inflation is frozen beginning with fiscal year 2004, in a compounded manner for each fiscal year.”.

The amendment was adopted.

Mr. Michlewitz of Boston and other members of the House then moved to amend the bill section 2, in item 2000-0100, by adding the following: “, and for a reserve to meet the cost of any and all products, equipment, and labor associated with the eradication of the arbovirus, as well as the cost of any other type of pesticide or agent, in order to prevent the spread of Eastern equine encephalitis, West Nile virus, and Zika virus in Bristol and Plymouth counties; provided, that Bristol and Plymouth counties county shall each receive \$50,000 respectively”; and in said item by striking out the figures: “11,427,197” and inserting in place thereof the figures: “11,527,197”;

In item 2200-0100 by adding the following: “; provided further, that not less than \$38,000 shall be expended for the town of Sherborn for the continued position of a sustainability coordinator; and provided further, that not less than \$27,000 shall be expended to enter into an agreement with OARS, Inc. to operate a water quality monitoring program in the Sudbury, Assabet and Concord rivers”; and in said item by striking out the figures: “40,000,000” and inserting in place thereof the figures: “40,065,000”;

In item 2330-0100 by adding the following: “; and provided further, that not less than \$75,000 shall be expended for Gloucester Marine Genomics Institute to develop a strategic plan, in conjunction with the University of Massachusetts at Amherst School of Earth and Sustainability, including University of Massachusetts at Amherst Gloucester Marine Station at Hodgkin’s Cove and the Tufts University Friedman School of Nutrition Science and Policy and the Cummings Veterinary School, for the study of the effectiveness of applying genomic techniques to mitigate the effects of climate change on agricultural, livestock, aquaculture, and marine food resources”;

Consolidated amendments adopted,—
yea and nay
No. 279.

Consolidated amendments (energy and environmental affairs, housing, labor and economic development).

and in said item by striking out the figures: “6,770,501” and inserting in place thereof the figures: “6,845,501”;

In item 2511-0100 by adding the following: “; provided further, that not less than \$50,000 shall be expended for Greenagers, Inc. for teen and young adult environmental programming; provided further, that not less than \$100,000 shall be expended for the Federation of Massachusetts Farmers Markets for the construction of market sheds for the continuation of outdoor farmers markets; provided further, that not less than \$50,000 shall be expended for the Homeless Animal Prevention and Care Fund; and provided further, that not less than \$40,000 shall be expended for Land’s Sake Farm in the town of Weston to support infrastructure and capital improvements to enable year-round sale of fresh produce to low income communities”; and in said item by striking out the figures: “6,690,672” and inserting in place thereof the figures: “6,930,672”;

In item 2511-0105 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the operation of the Food for Free Committee, Incorporated in the Cambridge Weekend Backpack Program; provided further, that not less than \$50,000 shall be expended to the city of Chelsea, for the coordination of essential food services in the city of Chelsea; provided further, that not less than \$15,000 shall be expended for the Billerica Food Pantry; provided further, that not less than \$40,000 shall be expended for the United Way of Massachusetts Bay and Merrimack Valley’s Resilient Randolph Fund to provide resources for emergency assistance; provided further, that not less than \$25,000 shall be expended for Arlington EATS Headquarters in Arlington to allow for operational efficiency with the goal of ending hunger; provided further, that not less than \$25,000 shall be expended to Food for the World, Inc. to provide free access to nutritious food to low-income families and the homeless, and related support services; and provided further, that the department may assess an administrative charge not to exceed 2 per cent of the total appropriation in this item”; and in said item by striking out the figures: “30,000,000” and inserting in place thereof the figures: “30,205,000”;

In item 2800-0100 by adding the following: “; provided further, that funds may be expended for the operation of the Blackstone Heritage Corridor Visitor Center in the city of Worcester; provided further, that not less than \$25,000 shall be expended for the department of conservation and recreation to select an independent scientific organization to conduct a study and survey of the white-tailed deer population of the Blue Hills Reservation; provided further, that, for purposes of said surveying, methods shall include, but not be limited to: (a) fixed-wing aircraft or unmanned aerial vehicles using aerial photography and downward-looking thermal imaging; and (b) distance sampling using driving transects and spotlights; and provided further, that not less than \$100,000 shall be expended for the purposes of aquatic invasive species control for the Charles River and Mystic River”; and in said item by striking out the figures: “4,482,205” and inserting in place thereof the figures: “4,607,205”;

In item 2800-0500 by adding the following: “; and provided further, that not less than \$25,000 shall be expended for the cleanup of Pilayella algae on Kings Beach and Long Beach in the city of Lynn”; and in said item by striking out the figures: “1,179,660” and inserting in place thereof the figures: “1,204,660”;

In item 2810-0100 by adding the following: “; provided further, that not less than \$50,000 shall be expended for a Veterans’ Park in the city of Lowell; provided further, that not less than \$50,000 shall be expended for the Blue Hill Observatory and Science Center; provided further, that not less than \$100,000 shall be expended to update and modernize the many parks and recreation spaces in the city of Beverly; provided further, that not less than \$10,000 shall be provided to clear the remaining area of

Johnsons Pond in Groveland for boating and fishing; provided further, that not less than \$25,000 shall be expended for the maintenance of Red Rock Park on Lynn Shore Drive, in the city of Lynn; provided further, that not less than \$75,000 shall be expended for parks and playground projects in the Highlands area of Lowell; provided further, that not less than \$75,000 shall be expended for facility and grounds renovations at West Middle School in the city of Brockton; and provided further, that not less than \$75,000 shall be expended for the purpose of tree re-planting in Worcester”; and in said item by striking out the figures: “50,000,000” and inserting in place thereof the figures: “50,460,000”;

In item 7002-0010 by adding the following: “provided further, that not less than \$50,000 shall be expended for the New England Center for Arts & Technology, Inc.”; and in said item by striking out the figures: “2,331,480” and inserting in place thereof the figures: “2,381,480”;

In item 7002-0012 by adding the following: “; provided further, that not less than \$75,000 shall be expended for a grant program for St. Mary’s Center for Women and Children in the Dorchester section of the city of Boston for workforce development and educational programming for women impacted by the 2019 novel coronavirus; provided further, that not less than \$100,000 shall be expended for the New England Farm Workers’ Council”; and in said item by striking out the figures: “19,339,000” and inserting in place thereof the figures: “19,514,000”;

In item 7002-0017 by adding the following: “; provided further, that not less than \$50,000 shall be expended for the Pal Pueblo Community Organization to identify train, prepare and position Latinos for economic development strategies in the classroom, community, and workforce and provide culturally relevant programs that engage, educate and empower Latinos to be agents of change to build a stronger and more inclusive community”; and in said item by striking out the figures: “3,194,089” and inserting in place thereof the figures: “3,291,089”;

In item 7002-0036 by adding the following: “; provided further, that not less than \$25,000 shall be expended for Methuen Arlington Neighborhood, Inc. to increase and enhance entrepreneurial opportunities, neighborhood investment, revitalization activities, and self-sufficiency of low and moderate income residents of the Methuen Arlington Neighborhood”; and in said item by striking out the figures: “2,500,000” and inserting in place thereof the figures: “2,525,000”;

In item 7002-0040, in line 3 and also at the end of the item, by striking out the figures: “4,000,000” and inserting in place thereof, in each instance, the figures: “5,000,000”;

In item 7003-0100 by adding the following: “; provided, that not less than \$20,000 shall be expended for Dudley Street Neighborhood Initiative to support community development services in the Roxbury and Dorchester areas of Boston; provided further, that not less than \$125,000 shall be expended to the Innovation Venture Fund at University of Massachusetts at Lowell for the continued implementation of a business development grant program; provided further, that not less than \$100,000 shall be expended for the Urban League of Eastern Massachusetts; provided further, that not less than \$100,000 shall be expended for the Urban League of Springfield; provided further, that not less than \$50,000 shall be expended for the domestic violence outreach coordinator position within the Cape Verdean Association of Brockton”; and in said item by striking out the figures: “714,152” and inserting in place thereof the figures: “1,109,152”;

In item 7004-0099 by adding the following: “; provided further, that not less than \$25,000 shall be expended for the construction of a multi-floor transitional operation facility servicing all of Northern Bristol county; provided further, that not less than

\$150,000 shall be expended for the provision of emergency services that provide domestic violence intervention, workforce development, housing assistance, operation of food vouchers, winter coats for kids and holiday dinners operated by Community Action Programs Inter-City, Incorporated for the communities specified in item 7004-0099 of section 2 of chapter 68 of the acts of 2011; provided further, that not less than \$50,000 shall be expended for the Homeless Prevention Council of Cape Cod”; and in said item by striking out the figures: “7,528,502” and inserting in place thereof the figures: “7,753,502”;

In item 7004-0101 by adding the following: “; and provided further, that \$75,000 be expended for the operation of the Portal to Hope servicing Everett, Malden and Medford”; and in said item by striking out the figures: “179,904,755” and inserting in place thereof the figures: “179,979,755”;

In item 7004-0102 by adding the following: “; provided further, that not less than \$35,000 shall be expended for the Friendly House, Inc. in the city of Worcester; and provided further, that not less than \$35,000 shall be expended as enhanced funding for Mitch’s Place shelter, a program of Emmaus, Inc. in the city of Haverhill”; and in said item by striking out the figures: “56,355,000” and inserting in place thereof the figures: “56,425,000”;

In item 7004-3036 by striking out the figures: “4,000,000” and inserting in place thereof the figures: “4,100,000”;

In item 7006-0142, in lines 14, 15 and 16, by striking out the following: “that in fiscal year 2021 the division shall employ at least as many elevator inspectors as were employed in fiscal year 2020” and inserting in place thereof the following: “that the division shall employ more than 70 full-time equivalent elevator inspectors, including an additional engineer, and that funds shall be expended to address the existing elevator inspection backlog and to defray the costs associated with performing overtime elevator inspections”;

In item 7006-1003 by striking out the figures: “4,266,287” and inserting in place thereof the figures: “4,276,817”;

In item 7007-0300 by striking out the figures: “1,498,161” and inserting in place thereof the figures: “1,598,161”;

In item 7007-0801 by adding the following: “provided further, that the Massachusetts office of business development shall file an annual report with the house and senate committees on ways and means identifying: (a) the United States Treasury certified Community Development Financial Institutions receiving grant issuances; (b) the names and loan amounts of each business receiving loans from the lending institution; (c) the federal dollar match received as a result of making the loan; (d) the number of jobs created through the business loans; and (e) the number of failed loans; and provided further, that not less than \$25,000 shall be allocated to SEED Corporation”; and in said item by striking out the figures: “600,000” and inserting in place thereof the figures: “625,000”;

By inserting after item 7008-0900 the following item:

“7008-1116 For the commonwealth’s local economic development and other related projects; provided, that not less than \$2,000,000 shall be expended for RIZE Massachusetts Foundation, Inc. to assist in their work to end the opioid epidemic in Massachusetts; provided further, that the department shall award not less than \$1,000,000 to the Massachusetts Alliance of Boys & Girls Clubs, Inc.; provided further, that not less than \$50,000 shall be expended to the historic West Medford Community Center, Inc.; provided further, that not less than \$75,000 shall be expended for Hoop Hall

Assists – we care the game giving back to the community to provide literacy, financial, character-building, anti-bullying and community outreach diversity programs, for youth and adults in Springfield, greater Springfield and Holyoke; provided further, that not less than \$25,000 shall be expended for the Hispanic-American Library, Inc. in Springfield; provided further, that not less than \$50,000 shall be expended for the North Quabbin Chamber of Commerce, Inc. for the purpose of providing additional resources, support and training to business due to the impact of the 2019 novel coronavirus; provided further, that not less than \$25,000 shall be expended for the Wilbraham Nature and Cultural Council working in collaboration with the Wilbraham Community Association, Inc. and the Minnechaug Land Trust, Inc. for tourism marketing and advertising purposes; provided further, that not less than \$65,000 shall be expended for the Western Massachusetts sports commission; provided further, that not less than \$50,000 shall be expended for the Quincy fire department hazardous material response team; provided further, that not less than \$50,000 shall be expended for repairs and maintenance of Salem common in the city of Salem; provided further, that not less than \$25,000 shall be expended for Stone Soul Inc. in Springfield for the implementation of the Stone Soul annual community festival related to year round cultural activities; provided further, that not less than \$5,000 shall be expended for Parent Villages, Inc. in Springfield, to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$25,000 shall be expended to the Martin Luther King, Jr. Family Services, Inc. to provide comprehensive youth development and violence prevention services to at-risk youth; provided further, that not less than \$20,000 shall be expended for Community Action for Safe Alternatives, CASA, in the town of Winthrop; provided further, that not less than \$75,000 shall be expended for the operation of New England Public Media, Inc. in assisting with the education of elementary and secondary students in providing televised distance learning courses during the 2019 novel coronavirus state of emergency in 4 counties of the commonwealth; provided further, that not less than \$25,000 shall be expended for the programs and operations of the Menino Arts Center, located in the Hyde Park section of the city of Boston; provided further, that not less than \$100,000 shall be expended as grants for the Bay State Games; provided further, that not less than \$25,000 shall be expended for LuminArtz for the design, preparation and production of public art displays; provided further, that not less than \$25,000 shall be expended for the Waltham Tourism Council, Inc.; provided further, that not less than \$30,000 shall be allocated to the Groundwork Lawrence, Inc. Merrimack valley COVID-19 restaurant sustainability program to assist local restaurants facing economic hardship through an innovative relief response to food insecurity; provided further, that not less than \$75,000 shall be expended for the Women’s

Suffrage Celebration Coalition of Massachusetts, Inc. to celebrate the centennial anniversary of the adoption of the Nineteenth Amendment; provided further, that not less than 50 per cent of the amount appropriated in item 7007-0800 of section 2 of chapter 139 of the acts of 2012 shall be expended for the Winthrop and Revere chambers of commerce; provided further, that not less than 50 per cent of the amount appropriated in item 7008-0900 of section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Winthrop; provided further, that not less than 50 per cent of the amount appropriated in item 7008-0900 of section 2 of chapter 165 of the acts of 2014 shall be expended for a child safety program in the town of Revere; provided further, that not less than \$125,000 shall be expended for Outside the Box in the city of Boston; provided further, that not less than \$150,000 shall be expended for the moving ahead program at the Saint Francis House, Inc. in Boston; provided further, that not less than \$75,000 shall be expended for Quincy Asian Resources, Inc. in the city of Quincy; provided further, that not less than \$25,000 shall be expended to the Germantown neighborhood center in the city of Quincy; provided further, that not less than \$25,000 shall be expended for the Whitfield-Manjiro Friendship Society, Inc.; provided further, that not less than \$100,000 shall be expended for a proven economic development program, with an existing office in Springfield, that supports manufacturing readiness for startups and connects them to Massachusetts-based manufacturers to promote local supply chains, post-recession job growth, and future resiliency; provided further, that not less than \$25,000 shall be expended for Operation A.B.L.E. of Greater Boston, Inc. to provide basic workforce and skills training, employment services and job re-entry support to older workers; provided further, that not less than \$25,000 shall be expended for the Children's Advocacy Center of Suffolk County, Inc; provided further, that not less than \$75,000 shall be expended for Parkway Community YMCA for expenses of COVID-19 related child care and day care services; provided further, that not less than \$25,000 shall be expended for Rose's Bounty Food Pantry for the increased need for meals during the COVID-19 pandemic; provided further, that not less than \$25,000 shall be expended for the Greater Haverhill Chamber of Commerce; provided further, that not less than \$35,000 shall be expended for AHA! Art, History & Architecture in the city of New Bedford to establish and enhance outreach and educational programs to benefit financially disadvantaged children in the greater New Bedford area; provided further, that not less than \$25,000 shall be expended for the New Bedford Festival Theatre for a training apprenticeship program for students ages 8 to 21 interested in theatrical performance, design, management and the allied arts of theatre; provided further, that not less than \$30,000 shall be expended for a matching grant program to the Enrichment Center located in the Dorchester section of the city of Boston; provided further, that not less than \$25,000 shall be expended for

the Merrimack Valley Chamber of Commerce; provided further, that not less than \$10,000 shall be expended for transportation improvements in the town of Winthrop; provided further, that not less than \$10,000 shall be expended for a matching grant program to No Books, No Ball; provided further, that not less than \$10,000 shall be expended for a matching grant program to Lena Park Community Center; provided further, that not less than \$25,000 shall be expended for the St. Mary's Carmen Society; provided further, that not less than \$25,000 shall be expended for the Nonantum Children's Association; provided further, that not less than \$25,000 shall be expended for Waltham Community Farms; provided further, that not less than \$25,000 shall be expended for Healthy Waltham; provided further, that not less than \$100,000 shall be expended for outfitting the DCU Center in Worcester for COVID-19 triage; provided further, that not less than \$25,000 shall be expended for the Women's Lunch Place to address increased food insecurity because of COVID-19; provided further, that not less than \$25,000 shall be expended for the Landmark Orchestra; provided further, that not less than \$25,000 shall be expended for the West End Museum; provided further, that not less than \$75,000 shall be expended for the operation of the Peabody Institute Library, including the West Peabody and South Peabody branches of said library; provided further, that not less than \$75,000 shall be expended for the provision of emergency funding for housing assistance through rental or mortgage relief to residents of the Everett community who are at risk of housing instability; provided further, that not less than \$15,000 shall be expended for the Recovery Theater within the Hilltown Youth Theatre Performing Arts Programs; provided further, that not less than \$60,000 shall be expended for the Children's Advocacy Center of Franklin County and North Quabbin, Inc.; provided further, that not less than \$75,000 shall be expended for the Mattapan health center for COVID-19 testing; and provided further, that funds shall be expended fully and on a schedule consistent with the provisions of section 9B of chapter 29 of the General Laws.....\$5,490,000”;

By inserting after section 6 the following section:

“SECTION 6A. Chapter 10 of the General Laws, as so appearing, is hereby amended by inserting after section 35NNN the following section:

Section 35000. (a) There shall be a Wellfleet Hollow State Campground Trust Fund to be used, without further appropriation, for the long-term preservation and maintenance of Wellfleet hollow state campground in the town of Wellfleet. Any balance remaining in the fund at the close of a fiscal year shall not revert to the General Fund but shall remain available for expenditure in subsequent fiscal years. No expenditure made from the fund shall cause the fund to become deficient at any point during a fiscal year.

(b) The department of conservation and recreation shall impose a surcharge of \$5 upon each fee charged and collected for admission to camping in Wellfleet hollow state campground for out-of-state residents. The additional money collected from the surcharge shall be deposited into the Wellfleet Hollow State Campground Trust Fund.

(c) An annual report, which shall include projects undertaken, expenditures made and income received by the fund, shall be submitted to the clerks of the house of representatives and senate and to the house and senate committees on ways and means not later than December 31.”;

By inserting after section 26 the following section:

“SECTION 26A. Section 14 of chapter 150E of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out, in line 12, the word ‘sixty’ and inserting in place thereof the figure:— 90.”;

By inserting after section 33A (inserted by amendment) the following section:

“SECTION 33B. Notwithstanding clause (3) of the fifth paragraph of section 14 of chapter 23A of the General Laws, in order to address disruptions caused by the outbreak of the 2019 novel coronavirus, also known as COVID-19, for fiscal year 2021, for grants provided pursuant to said section 14 of said chapter 23A, the maximum amount received by a private nonprofit agency from the office of travel and tourism may be more than the amount received by nongovernmental sources.”;

In section 41, in line 677, by inserting after the word “terminated” the word “solely”, in line 680, by inserting after the word “demonstrates” the words “, to the satisfaction of the court,”, in line 689, by inserting after the word “stays” the words “and continuances”, in line 694, by striking out the words “pre-court and pre-trial mediation and” and inserting in place thereof the words “pre-trial mediation and, to the extent practicable,”; and in line 695, by inserting after the word “through” the words “on-site”; and

In section 42, in line 722, by striking out the words “case managers” and inserting in place thereof the words “special services coordinators”.

On the question on adoption of the 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 157 members voted in the affirmative and 1 in the negative.

[See Yea and Nay No. 280 in Supplement.]

Therefore the consolidated amendments (energy and environmental affairs, housing, labor and economic development) were adopted.

The Speaker being in the Chair,—

Mr. Michlewitz of Boston then moved to amend the bill in section 2, in item 0511-0270, by adding the following: “; provided further, that not less than \$250,000 shall be expended for the local election districts review commission to assist local officials in the reprecincting process”; and in said item by striking out the figures: “1,000,000” and inserting in place thereof the figures: “1,250,000”;

By striking out item 0840-0100 and inserting in place thereof the following item: “0840-0100 For the operation of the victim and witness assistance board.....\$1,257,790”;

In item 3000-6025, in lines 25, 26 and 27, by striking out the following: “; and provided further, that up to \$2,500,000 appropriated for this item in fiscal year 2019 shall not revert but shall be made available for the purposes of this item in fiscal year 2020”;

In item 4000-0641, in lines 5 to 17, inclusive, by striking out the following: “; provided further, that not less than \$38,300,000 shall be expended to fund a rate add-on for wages, shift differentials, bonuses, benefits and related employee costs paid to direct care staff of nursing homes; provided further, that MassHealth regulations for this rate add-on shall prioritize spending on hourly wage increases, shift differentials or bonuses paid to certified nurses’ aides and housekeeping, laundry, dietary and activities staff; provided further, that MassHealth shall adopt all regulations and procedures to carry out this item; provided further, that MassHealth shall provide to

Consolidated amendments adopted,— yea and nay No. 280.

the house and senate committees on ways and means an interim report not later than June 7, 2021 and a final report not later than December 31, 2021 on the impact of wages for direct care workers at the nursing home receiving said funds”;

In item 4408-1000, in lines 67 and 68, by striking out the following: “and provided further, that not less than \$3,600,000 shall be expended on the 10 per cent rate increase required by this section” and inserting in place thereof the following: “; provided further, that not less than \$3,600,000 shall be expended on the 10 per cent increase in the payment standard for monthly benefits required by this section; and provided further, that in fiscal year 2021, said 10 per cent increase shall take effect beginning with the month of January 2021”;

In item 7004-0101, in the third to last line, by striking out the figures: “1,880,995” and inserting in place thereof the figures: “4,880,995”;

By striking out item 7010-1202 and inserting in place thereof the following item: “7010-1202 For the implementation of the Massachusetts Digital Literacy Now grant program to promote digital literacy and computer science education in public schools in kindergarten through grade 12, to ensure equitable opportunities to access technology and computer science education; provided, that the department shall update an implementation plan for promoting technology and digital literacy efforts in partnership with the Massachusetts Association of School Superintendents, Inc. that prioritizes opportunities for underserved students and populations; provided further, that the plan shall consider technology and computer usage and access in low-income, urban, suburban and rural communities that continue to be disproportionately impacted by a lack of access to digital technology; and provided further, that a report shall be filed not later than February 1, 2021, with the chairs of the house and senate committees on ways and means and the house and senate chairs of the joint committee on education that includes an updated 3-year strategic plan to address gaps in programming, annual goals and progress in achieving those goals..... \$1,000,000”;

In item 7061-0027, in line 1 and also in line 2, by striking out the word “districts” and inserting in place thereof, in each instance, the words “districts, charter schools, and educational collaboratives”; and in said item by striking out the figures: “50,015,000” (inserted by amendment) and inserting in place thereof the figures: “53,000,000”;

In item 7061-9611 by striking out the figures: “10,577,017” and inserting in place thereof the figures: “10,742,017”;

In item 7008-1116 (inserted by amendment) by adding the following: “; and provided further, that not less than \$125,000 shall be expended for Westmass Area Development Corporation for life safety upgrades and modifications on tenant facilities”;

In item 7070-0065, in lines 15 to 18, inclusive, by striking out the following: “; provided further, that funds from this item shall be made available for early educator scholarships and the Journey into Education and Teaching program in amounts not less than the amounts made available in fiscal year 2020” and inserting in place thereof the following: “provided further, that funds from this item shall be made available for early educator scholarships in an amount not less than the amounts made available in fiscal year 2020; provided further, that funds from this item shall be made available for the Journey into Education and Teaching program in an amount not less than the amounts made available in fiscal year 2020 from item 7066-0000”;

By striking out item 8000-1127 and inserting in place thereof the following item:
“8000-1127 For a nonprofit security grant program to provide support for target hardening and other security enhancements to nonprofit organizations that are at high risk of terrorist attack or hate crimes, as defined in section 32 of chapter 22C of the General Laws; provided, that: (i) at least 1 such grant shall be awarded to a nonprofit organization in the eastern region of the commonwealth; (ii) at least 1 such grant shall be awarded to a nonprofit organization in the central region of the commonwealth; and (iii) at least 1 such grant shall be awarded to a nonprofit organization in the western region of the commonwealth.....\$1,000,000”;

By inserting after section 42B (inserted by amendment) the following two sections:

“SECTION 42C. Notwithstanding any general or special law to the contrary, not later than June 15, 2021, the health policy commission, in consultation with the board of registration in nursing, shall conduct an analysis and issue a report evaluating the commonwealth’s entry into the nurse licensure compact. The study shall include, but not be limited to: (i) an analysis of registered nurse and licensed practical nurse job vacancies in the commonwealth broken down by practice specialization, and projected vacancies based on the demographics of the commonwealth’s nursing workforce and nursing school graduate retention rates; (ii) an analysis of whether entry into the nurse licensure compact would increase the commonwealth’s emergency and pandemic preparedness; (iii) an analysis of other states’ entry into the nurse licensure compact and any impact on quality of care resulting from entry; (iv) an evaluation of the number of registered nurses and licensed practical nurses granted a temporary license under the emergency orders issued by the governor and the commissioner of public health pursuant to the governor’s March 10, 2020 declaration of a state of emergency and the number of disciplinary actions taken by the board of registration in nursing on such nurses; (v) a comparison of the board of registration in nursing’s oversight, background check and licensing authority under the emergency orders issued by the governor and the commissioner of public health pursuant the governor’s March 10, 2020 declaration of a state of emergency and upon entry into the nurse licensure compact; (vi) an analysis of the ability of registered nurses and licensed practical nurses in the commonwealth to provide follow-up care across state lines, including via telehealth; (vii) an analysis of impacts to health care quality, cost and access resulting from other states’ entry into the nurse licensure compact, as well as anticipated impacts to health care quality, cost and access associated with entry into the nurse licensure compact by the commonwealth; and (viii) recommendations regarding the commonwealth’s entry into the nurse licensure compact. The report shall be filed with the speaker of the house of representatives, the senate president, the house and senate committees on ways and means and the joint committee on health care financing.

SECTION 42D. Notwithstanding any general or special law to the contrary, the comptroller shall, during fiscal year 2021, but prior to the calculation of the fiscal year 2021 consolidated net surplus in accordance with section 5C of chapter 29 of the General Laws, transfer not more than \$1,525,000,000 to the General Fund from the Commonwealth Stabilization Fund, established by section 2H of chapter 29 of the General Laws, upon the written request of the secretary of administration and finance. The comptroller, in consultation with the secretary, may take the overall cash flow needs of the commonwealth into consideration in determining the timing of any

transfer of funds. The comptroller shall provide a schedule of transfers to the secretary and to the house and senate committees on ways and means.”; and

In section 44A (inserted by amendment) by inserting after the words “the Massachusetts Teachers Association,” the following: “the New England Cable & Telecommunications Association, Inc.”.

The amendments were adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays, at the request of Mr. Michlewitz of Boston; and on the roll call (Mr. Donato of Medford being in the Chair) 143 members voted in the affirmative and 14 in the negative.

Bill passed to
be engrossed,—
yea and nay
No. 281.

[See Yea and Nay No. 281 in Supplement.]

Therefore the bill (House, No. 5151, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Emergency Measure.

The engrossed Bill establishing a sick leave bank for Marshall Bickford, an employee of the Department of Unemployment Assistance (see Senate, No. 2925), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Marshall
Bickford,—
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 9 to 0. Sent to the Senate for concurrence.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Monday next at eleven o’clock A.M.

Next
sitting.

At ten minutes before eleven o’clock P.M. (Thursday, November 12), on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.