Friday, July 31, 2020 (at 11:05 o'clock A.M.).

Pledge of allegiance.

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

Papers from the Senate.

Patient safety.

The Senate Bill putting patients first (Senate, No. 2796, amended), came from the Senate with the endorsement that said branch had non-concurred with the House in it amendments (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4916; and striking out the title and inserting following title: "An Act to promote resilience in our health care system").

Conference committee.

The bill bore the further endorsement that the Senate had appointed a committee of conference on the disagreeing votes of the two branches; and that Senators Friedman, Cyr and Tran had been appointed to the committee on the part of the Senate.

Id.

On motion of Mr. Cullinane of Boston, the House insisted on its amendments; and concurred with the Senate in the appointment of a committee of conference. Representatives Mariano of Quincy, Cullinane and Hunt of Sandwich were appointed the committee on the part of the House. Sent to the Senate to be noted.

Deborah Samson,— commission.

The House Resolve establishing a Deborah Samson memorial commission (House, No. 4179) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2883. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Children,— accountability.

The House Bill relative to accountability for vulnerable children and families (House, No. 4852), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2884. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Halifax,— land.

A Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey and acquire certain parcels of land in the town of Halifax (Senate, No. 2627) (on a petition), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Mr. Michlewitz of Boston, for said committee, reported that the bill ought to pass with an amendment striking all after the enacting clause and inserting in place thereof the text contained in House document numbered 4931. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 2627, amended) was ordered to a third reading.

Bills

Authorizing the Division of Capital Asset Management and Maintenance to grant an easement to the city of Lynn (Senate, No. 2816) (on a petition); and

Lynn,— land.

Relative to an easement in Lynn (Senate, No. 2875) (on Senate, No. 2817);

Id.

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

Bills

Relative to expanding access to adoption (Senate, No. 63) (on a petition); and

Adoption.

Establishing a sick leave bank for Charlotte Charest, an employee of the Trial Court of the Commonwealth (Senate, No. 2787) (on a petition);

Charlotte Charest.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Reports of Committees.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill relative to affordable housing in town of Dartmouth (House, No. 4814), be scheduled for consideration by the House.

Dartmouth,— housing.

Under suspension of Rule 7A, on motion of Mr. Wong of Saugus, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the Nauset Regional School District to enter into renewable energy agreements (House, No. 4830), be scheduled for consideration by the House.

Nauset Regional School,— renewable energy.

Under suspension of Rule 7A, on motion of Mr. Wong of Saugus, the bill was read a second time forthwith; and it was ordered to a third reading.

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

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it in lines 1 to 11, inclusive, by striking out the text contained in those lines and inserting in place thereof the following:

"(a) As used in this act, the following words shall, unless the context clearly requires otherwise, have the following meanings:—

'District' the Nauset regional school district, duly organized pursuant to chapter 71 of the General Laws.

'School', the Nauset regional middle school, acquired by the district in a transfer certificate of title recorded with the registry district for Barnstable in book 180, page 3.

'Power purchase agreement', agreement with a renewable energy developer under section 137 of chapter 164 of the General Laws under which an energy generating facility is constructed on property owned by the district, the electric energy produced by the facility is sold to the district, and the value of the lease has been included in setting the price of electricity to be paid by the district under the agreement.".

The amendment was adopted; and the bill (House, No. 4830, amended) was passed to be engrossed. Sent to the Senate for concurrence.

West Springfield,— land.

By Mr. Pignatelli of Lenox, for the committee on Environment, Natural Resources and Agriculture, on a joint petition, a Bill authorizing the conveyance of easements and conservation restrictions to watershed lands of the city known as the town of West Springfield (House, No. 4917) [Local Approval Received].

Sick time,— emergencies.

By Mr. Hay of Fitchburg, for the committee on Labor and Workforce Development, on House, No. 4700, a Bill relative to emergency paid sick time (House, No. 4928).

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

North Andover,— select board.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to change [sic] the name of the board of selectmen of the town of North Andover to select board to exhibit gender neutrality (House, No. 4903) [Local Approval Received]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Orders of the Day.

Gloucester,— land.

The Senate further amendment of the House amendment of the Senate Bill authorizing the city of Gloucester to use certain lands for municipal school purposes (Senate, No. 2628) (reported by the committee on Bills in the Third Reading to be correctly drawn), was considered.

The House then non-concurred with the Senate in its amendment. Sent to the Senate for its action.

Third reading bill.

The Senate Bill authorizing the town of Harvard to convey an easement over a certain parcel of conservation land (Senate, No. 2866), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Sena of Acton; and it was passed to be engrossed, in concurrence.

Acton water district,— energy.

The House Bill authorizing the Water Supply District of Acton to enter into a lease, license or other disposition of land held for water supply purposes for the construction, operation and maintenance of a solar energy generating and energy storage facility (House, No. 4683), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 4923), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At eight minutes after eleven o'clock A.M. (Friday, July 31), on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House recessed until twelve o'clock noon; and at sixteen minutes after twelve o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Quorum.

A roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 159 members were recorded as being in attendance. Quorum,— yea and nay No. 252.

[See Yea and Nay No. 252 in Supplement.]

Therefore a quorum was present.

Order.

On motion of Mr. Galvin of Canton,—

Ordered, That notwithstanding any standing or emergency rule to the contrary, the monitors shall be authorized to cast roll call votes, except quorum roll calls, for Representatives Michlewitz of Boston, Ferrante of Gloucester and Wong of Saugus, while said members are involved in conference committee negotiations. Committee of conference,— voting.

Reports of Committees.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill to promote the well-being of minor children living with guardians (House, No. 1396), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4924). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Minor children.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been 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. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill to preserve the practice of including annual payments in lieu of vacation as regular compensation for current retirees and active retirement system members where such benefit existed as of May 2018 (House, No. 4276), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4925). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Retiree benefits.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been 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. Sent to the Senate for concurrence.

Boston,— Birmingham Parkway.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill to create the Leo M. Birmingham Parkway Trust Fund (House, No. 4412), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4926). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been 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. Sent to the Senate for concurrence.

Waltham,— land.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the University of Massachusetts to convey a certain parcel of land and buildings to the city of Waltham (House, No. 4827), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4927). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Speliotis of Danvers, the bill (having been 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. Sent to the Senate for concurrence.

Emergency Measures.

Plymouth,— land.

The engrossed Bill authorizing the release of an agricultural preservation restriction of certain land in Plymouth (see Senate, No. 2781, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 10 to 0. Sent to the Senate for concurrence.

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

Bill enacted (land taking),— yea and nay No. 253.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the

Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 253 in Supplement.]

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

Stoneham,—land.

The engrossed Bill authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Stoneham (see House, No. 4844, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

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

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

Bill enacted (land taking),—yea and nay No. 254.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 254 in Supplement.]

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

Engrossed Bills.

Bill enacted.

The engrossed Bill relative to certain licenses in the town of Foxborough (see House bill printed in House, No. 4282) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted (more than two-thirds of the members having agreed to pass the same), under suspension of the Emergency Rule 2(5), on motion of Ms. Robinson of Framingham; and it was signed by the acting Speaker and sent to the Senate.

Id.

The engrossed Bill authorizing the Massachusetts Department of Transportation to release its interest by deed or to grant an easement in a certain parcel of land in the city of Fall River (see Senate, No. 2780, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted, under suspension of Emergency Rule 2(5), on motion of Mr. Silvia of Fall River; and it was signed by the acting Speaker and sent to the Senate.

Bills enacted.

Engrossed bills

Relative to statewide grand juries (see House, No. 4603); and

Authorizing the town of Shutesbury to convey certain land (see House, No. 4775);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted, under suspension of the Emergency Rule

2(5), on motions of Mrs. Kane of Shrewsbury; and they were signed by the acting Speaker and sent to the Senate.

Bill enacted.

The engrossed Bill further regulating the transfer of a certain parcel of land in the town of Sharon (see House, No. 4389) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted, under suspension of the rules, on motion of Mr. Kafka of Stoughton; and it was signed by the acting Speaker and sent to the Senate.

Orders of the Day.

Climate policy.

The Senate Bill setting next-generation climate policy (Senate, No. 2500, amended), was considered.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, (Mr. Cusack of Braintree being in the Chair) Representatives Donato of Medford and Ultrino of Malden moved to it by inserting after section 10 the following section:

"SECTION 10A. Section 1 of chapter 23M is hereby amended by striking out the words 'or retrofitting', in lines 16 and 17, and inserting in place thereof the following:— , retrofitting or qualifying new construction.".

The amendment was adopted.

Mr. Donato of Medford being in the Chair,—

Mr. Vitolo of Brookline and other members of the House then moved to amend the bill in section 11, in line 99, by striking the words "efficiency and clean energy" and inserting in place thereof the words "efficiency, clean energy, and clean heating and cooling"; and the amendment was adopted.

The same member then moved to amend the bill in section 11, in line 101, by striking out the words "workers displaced" and inserting in place thereof the words "current and former workers". The amendment was adopted.

Mr. Pignatelli of Lenox and other members of the House then moved to amend the bill in section 14, in line 144, by striking out the figures: "11" and inserting in place thereof the figures: "12", in line 146, by striking out the figure: "9" and inserting in place thereof the figures: "10"; and in line 155, by inserting after the word "health" the following: ", 1 of whom shall be from an organization with expertise in enhancing the rural environment and public health". The amendments were adopted.

Mr. Ryan of Boston and other members of the House then moved to amend the bill by inserting after section 17 the following section:

"SECTION 17A. Section 144 of said chapter 164, as so appearing, is hereby amended by inserting the following subsections:

(g) Upon the undertaking of any planned project involving excavation for purposes of performing maintenance on or construction involving gas mains or services by gas company employees, or any blasting work, the gas company shall ensure that employees first locate, identify and mark all gas gates and valves, and verify that all are cleared, operational and accessible in clear sight at ground level in advance of any excavation; and that said gas gates and valves are left cleared and operational following any such project.

(h) A gas company shall ensure that any shut off valve in the significant project area has a gate box installed upon it by its employees to ensure continued public safety.".

The amendment was adopted.

Mr. Cahill of Lynn and other members of the House then moved to amend the bill by inserting after section 20D (inserted by amendment) the following section:

"SECTION 20E. The department of energy resources, in consultation with the Massachusetts clean energy center and the carbon reduction research center, shall study the feasibility of optimizing the deployment and utilization of both new and existing long-duration energy storage systems in the commonwealth capable of absorbing energy, storing it for a period of time and thereafter dispatching the energy for a minimum period of five hours or greater. The goal of said systems would be to a) enhance the reliable delivery of electricity to Massachusetts consumers; b) improve the reliability and integration of intermittent renewable energy or clean energy generation; c) reduce carbon emissions; and d) minimize ratepayer costs. The study shall determine the commercial availability of said systems, including performance under frequent deployment, barriers to deployment or utilization, and incentives that could facilitate their deployment or utilization. The department of energy resources shall submit recommendations to the clerks of the house of representatives and senate and to the house and senate chairs of the joint committee on telecommunications, utilities, and energy no later than March 1, 2021.".

The amendment was adopted.

Mr. Fernandes of Falmouth and other members of the House then moved to amend the bill by inserting after section 20E (inserted by amendment) the following section:

"SECTION 20F. The department of energy resources shall study the feasibility of ferry operators located in the commonwealth to convert vessel fleets to electric and hybrid electric ferries by 2050 to comply with the requirements of chapter 21N of the General Laws. The study shall investigate: (i) the technology necessary to accomplish the transition to electric or hybrid electric ferry service; (ii) the availability of such technology; (iii) costs and benefits of making such transition, the analysis shall include but not be limited to the cost of negative externalities associated with greenhouse gas emissions; (iv) the feasibility of ferry operators to make such transition and any operational or infrastructure limitations to such transition; (v) the availability of technical assistance or other private or public programs to facilitate the transition to electric or hybrid electric ferry service and (vi) the operations of electric ferries already in service in Europe and elsewhere in the world. The department shall make recommendations of a timeline for Massachusetts ferry operators to transition to electric fleets to comply with the state emission reduction goal of net zero greenhouse gas emissions by 2050. The department shall file its recommendations with the clerks of the house of representatives and the senate and the chairs of the joint committee on telecommunications, utilities and energy not later than July 1, 2021.".

The amendment was adopted.

Ms. Robinson of Framingham then moved to amend the bill in section 20, in line 277, by striking out word "commissioner" and inserting in place thereof the word "chair"; and the amendment was adopted.

The same member then moved to amend the bill in section 20, in line 264, by inserting after word "infrastructure" the words "including existing and planned interconnection projects". The amendment was adopted.

Ms. Peake of Provincetown then moved to amend the bill by inserting after section 15G (inserted by amendment) the following section:

"SECTION 15H. Section 1A of chapter 164 of the General Laws, as so appearing, is hereby amended by adding a new subsection:—

(g) Municipalities, including those with environmental justice populations, at high risk from the effects of climate change may approve 1 or more solar energy projects owned and operated by an electric or gas distribution company constructing, owning and operating generation facilities on land owned therein, which is paired, where feasible, with energy storage facilities designed to improve community climate adaptation and resiliency or contribute to the commonwealth meeting its carbon emissions limits established in section 3 of chapter 21N Prior to project approval under this section, electric and gas distribution companies shall conduct an outreach program to promote the development of solar energy projects in environmental justice communities and to create program goals, including but not limited to job creation, peak demand reduction and system resiliency. Municipalities with environmental justice populations shall receive a preference for participation in such projects.

For the purposes of this section, a municipality at high risk from the effects of climate shall mean a city or town that can demonstrate to the department current or future significant changes to its population, land use or local economy resulting from changes in climate. Nothing in this section shall have the effect of, overriding, modifying, or terminating any applicable requirements for local zoning and permitting by a municipality.

Notwithstanding sections 1B to 1H of chapter 164, inclusive, electric and gas distribution companies may be eligible to assist a municipality at high risk from the effects of climate change in furthering its climate adaptation and resiliency goals by constructing, owning and operating solar generation facilities paired, where feasible, with energy storage facilities on land owned by the electric or gas distribution company within a municipality, including those with environmental justice communities, at no cost to the municipality, provided that such facilities may receive department approval for cost recovery. Such company shall not construct, own or operate new facilities equaling more than 10 per cent of the total installed megawatt capacity of solar generation facilities in the commonwealth as of July 31, 2020.

Projects undertaken on behalf of a municipality for construction of utility-owned solar facilities shall be exempt from the prohibition on utility owned generation, subject to review and approval by the department of public utilities. The department may review municipal petitions for development of utility-owned solar facilities and may allow cost recovery upon a showing that a site-specific development would provide environmental or climate change benefits to the community, municipality or to the commonwealth, or both in combination, warranting a site-specific exemption, and that the costs of the project are reasonable.

Affirmation of support by a municipality shall be presented to the department by an electric or gas distribution company in any petition for pre-approval of cost recovery for a solar energy generating facility and energy storage facility, where deemed feasible, and the department shall determine whether the proposal is consistent with the commonwealth's energy policies, contributes to the climate change resiliency of the host municipality and mitigates peak energy demand. In approving any such proposal, the department shall: (1) provide the criteria applied in reviewing the proposal; (2) provide the evidence provided in support of the proposal and relied on by the department in making its decision; and (3) identify the specific contributions to the commonwealth's energy policies that will be attributable to the proposed facility and demonstrate the analytical foundation for the department's approval of utility owned solar facilities.

The department may adopt such rules and regulations as may be necessary to implement this subsection.".

The amendment was adopted.

Mr. Coppinger of Boston then moved to amend the bill by inserting after section 15H (inserted by amendment) the following three sections:

"SECTION 15I. Section 5 of chapter 59 of the General Laws, as so appearing is hereby amended by striking out, in line 13, the words 'or Forty-fifth' and inserting in place thereof the following words:— , Forty-fifth or Forty-fifth B.

SECTION 15J. Said section 5 of said chapter 59, as so appearing, is hereby further amended by inserting after clause Forty-fifth A the following clause:—

Forty-fifth B, Any qualified fuel cell powered system, the construction of which was commenced after January 1, 2020, that is capable of producing not more than 125 per cent of the annual energy needs of the real property upon which it is located, which shall include contiguous or non-contiguous real property owned or leased by the owner. Any other qualified fuel cell powered system shall be exempt provided that the owner has made to the city or town where the system is located a payment in lieu of taxes. A city or town, acting through the board or officer authorized by its legislative body, may execute an agreement for the payment in lieu of taxes with the owner of a qualified fuel cell powered system in the municipality where the qualified fuel cell powered system is located. Unless otherwise provided by such agreement, (1) a notice of the payment in lieu of tax owed for each fiscal year shall be mailed to the owner and due on the dates by which a tax assessed under this chapter would be payable without interest; (2) all provisions of law regarding billing and collecting a tax assessed under this chapter shall apply to the payment in lieu of taxes, including the payment of interest; and (3) upon issuance of the notice, the owner shall have the remedies provided by section 59, section 64 and all other applicable provisions of law for the abatement and appeal of taxes upon real estate. An exemption under this clause shall be allowed only for a period of 20 years from the date of completion of the construction of the qualified fuel cell powered system; provided, however, that no exemption shall be allowed for any year within that period when the qualified fuel cell powered system is not capable of producing energy as required by this clause. Each owner shall annually, on or before March 1, make a declaration under oath to the assessors regarding the system and power generated for the previous calendar year. This clause shall not apply to projects developed under section 1A of chapter 164.

For the purposes of this clause, 'qualified fuel cell powered system' shall mean an integrated system comprised of a fuel cell stack assembly and associated components that utilizes and converts natural gas or renewable fuels into electricity and is being utilized as the primary or auxiliary power system for the real property upon which it is located, which shall include contiguous or non-contiguous real property owned or leased by the owner, or in which the owner otherwise holds an interest.

SECTION 15K. Subsection (b) of section 38H of said chapter 59, as so appearing, is hereby amended by inserting after the first sentence the following sentence:— For purposes of this subsection, a generation facility shall not include a facility powered by a qualified fuel cell powered system, as defined in clause Forty-fifth B of section 5, to generate electricity.".

The amendment was adopted.

Mr. Cutler of Pembroke then moved to amend the bill by inserting after section 15K (inserted by amendment) the following eighteen sections:

"SECTION 15L. Section 2 of chapter 25B of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the definition of 'Central furnace' the following 6 definitions:—

‘Color rendering index’ or ‘CRI’, the measure of the degree of color-shift objects undergo when illuminated by a light source as compared to the color of those same objects when illuminated by a reference source of comparable color temperature.

‘Commercial hot-food holding cabinet’, a heated, fully-enclosed compartment with 1 or more solid or transparent doors designed to maintain the temperature of hot food that has been cooked using a separate appliance. A commercial hot-food holding cabinet shall not include heated glass merchandizing cabinets, drawer warmers or cook-and-hold appliances.

‘Commercial dishwasher’ a machine designed to clean and sanitize plates, pots, pans, glasses, cups, bowls, utensils, and trays by applying sprays of detergent solution (with or without blasting media granules) and a sanitizing rinse.

‘Commercial fryer’ an appliance, including a cooking vessel, in which oil is placed to such a depth that the cooking food is essentially supported by displacement of the cooking fluid rather than by the bottom of the vessel. Heat is delivered to the cooking fluid by means of an immersed electric element of band-wrapped vessel (electric fryers) or by heat transfer from gas burners through either the walls of the fryer or through tubes passing through the cooking fluid (gas fryers).

‘Commercial oven’ means a chamber designed for heating, roasting, or baking food by conduction, convection, radiation, and/or electromagnetic energy

‘Commercial steam cooker,’ also known as ‘compartment steamer,’ a device with one or more food-steaming compartments in which the energy in the steam is transferred to the food by direct contact. Models may include countertop models, wall-mounted models, and floor models mounted on a stand, pedestal, or cabinet-style base.

SECTION 15M. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Compensation’ the following 3 definitions:—

‘Dual-flush effective flush volume’, the average flush volume of 2 reduced flushes and 1 full flush.

‘Dual-flush water closet’, a tank-type water closet incorporating a feature that allows the user to flush the water closet with either a reduced or a full volume of water.

‘Electric vehicle supply equipment’ means the conductors, including the ungrounded, grounded, and equipment grounding conductors, the electric vehicle connectors, attachment plugs, and all other fittings, devices, power outlets, or apparatuses installed specifically for the purpose of delivering energy from the premises wiring to the electric vehicle. Charging cords with NEMA 5-15P and NEMA 5-20P attachment plugs are considered electric vehicle supply equipment. Excludes conductors, connectors, and fittings that are part of a vehicle.

SECTION 15N. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by striking out the definition of ‘High-intensity discharge lamp’.

SECTION 15O. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Electricity Ratio (ER)’ the following 2 definitions:—

‘Faucet’, a lavatory faucet, kitchen faucet, metering faucet, public lavatory faucet, or replacement aerator for a lavatory or kitchen faucet.

‘Flow rate’, the rate of water flow of a plumbing fitting.

SECTION 15P. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘F96T12 Lamp’ the following 5 definitions:—

‘General service lamp’ has the same meaning as set forth in 10 CFR 430.2.

‘State-regulated general service lamp’ includes the following:

(1)Shatter-resistant incandescent lamps, 3-way incandescent lamps and high lumen output incandescent lamps rated at more than 2600 lumens or, in the case of a modified spectrum lamp, more than 1950 lumens, and less than or equal to 3,300 lumens.

(2)Incandescent reflector lamps that are:

(a)ER30, BR30, BR40, or ER40 lamps rated at 50 Watts or less;

(b)BR30, BR40, or ER40 lamps rated at 65 watts;

(c)R20 lamps rated at 45 watts or less.

(3)Incandescent lamps that are:’

(a)T shape lamps rated at ≤ 40 Watts or ≥ 10 inches in length;

(b)B, BA, CA, F, G-16½, G-25, G-30 and S shape lamps;

(c)M-14 lamps rated at ≤ 40 Watts.

‘Hand-held showerhead’ means a showerhead that can be held or fixed in place for the purpose of spraying water onto a bather and that is connected to a flexible hose.

‘High color rendering index fluorescent lamp’, a fluorescent lamp with a color rendering index of 87 or greater that is not a compact fluorescent lamp.

‘Metering faucet’, a fitting that, when turned on, will gradually shut itself off over a period of several seconds.

SECTION 15Q. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘New appliance’ the following 4 definitions:—

‘On demand’, when the water cooler heats water as it is requested.

‘Plumbing fitting’, a device that controls and guides the flow of water in a supply system.

‘Plumbing fixture’, an exchangeable device, which connects to a plumbing system to deliver and drain away water and waste.

‘Portable electric spa’, a factory-built electric spa or hot tub which may or may not include any combination of integral controls, water heating or water circulating equipment.

SECTION 15R. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Probe-start metal halide ballast’ the following definition:—

‘Public lavatory faucet’, a fitting intended to be installed in nonresidential bathrooms that are accessible to walk-in traffic.

SECTION 15S. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Refrigerator-freezer’ the following definition:—

‘Replacement aerator’, an aerator sold as a replacement, separate from the faucet to which it is intended to be attached.

SECTION 15T. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Residential furnace or boiler’ the following 2 definitions:—

‘Residential ventilating fan’, a ceiling, wall-mounted, or remotely mounted in-line fan designed to be used in a bathroom or utility room, whose purpose is to move air from inside the building to the outdoors.

‘Showerhead’, a device through which water is discharged for a shower bath and includes a handheld showerhead, but does not include a safety showerhead.

SECTION 15U. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Single-voltage external AC to DC power supply’ the following 2 definitions:—

‘Standby power’, the average power in standby mode, measured in watts.

‘Spray sprinkler body’ the exterior case or shell of a sprinkler incorporating a means of connection to the piping system designed to convey water to a nozzle or orifice.

SECTION 15V. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘State plumbing code’ the following definition:—

‘Storage-type’, thermally conditioned water that is stored in a tank in the water cooler and is available instantaneously, including, but not limited to, point of use, dry storage compartment and bottled water coolers.

SECTION 15W. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Transformer’ the following 4 definitions:—

‘Trough-type urinal’, a urinal designed for simultaneous use by 2 or more persons.

‘Urinal’, a plumbing fixture that receives only liquid body waste and conveys the waste through a trap into a drainage system.

‘Water closet’, a plumbing fixture with a water-containing receptor that receives liquid and solid body waste through an exposed integral trap into a drainage system.

‘Water cooler’, a freestanding device that consumes energy to cool or heat potable water; provided however, that such device is not wall-mounted, under-sink or otherwise building integrated.

SECTION 15X. Said section 2 of said chapter 25B, as so appearing, is hereby further amended by inserting after the definition of ‘Water heater’ the following definition:—

‘Water use’, the quantity of water flowing through a showerhead, faucet, water closet or urinal at point of use.

SECTION 15Y. Section 3 of said chapter 25B, as so appearing, is hereby amended by inserting after clause (j) the following clauses:—

(k) commercial hot-food holding cabinets.

(l) computers and computer monitors.

(m) state-regulated general service lamps.

(n) high CRI fluorescent lamps.

(o) plumbing fittings.

(p) plumbing fixtures.

(q) portable electric spas.

(r) water coolers.

(s) residential ventilating fans

(t) commercial ovens

(u) commercial dishwashers

(v) commercial fryers

(w) commercial steam cookers

(x) spray sprinkler bodies

(y) electric vehicle supply equipment

SECTION 15Z. Section 5 of said chapter 25B, as so appearing, is hereby amended by striking out the words, in line 24, ‘clauses (f) to (s)’ and inserting in place thereof the following words:— clauses (f) to (y).

SECTION 15AA. The third paragraph of said section 5 of said chapter 25B, as so appearing, is hereby amended by adding after clause (5) the following clauses:—

(6) Commercial hot-food holding cabinets shall meet the qualification criteria of the ENERGY STAR program product specifications for commercial hot-food holding cabinets, Version 2.0.

(7) Computers and computer monitors shall meet the requirements of section 1605.3 of Title 20 of the California Code of Regulations, as in effect on the date of enactment of this Act, as measured in accordance with test methods prescribed in section 1604 of those regulations.

1) The rules shall define 'computer' and 'computer monitor' to have the same meaning as set forth in 20 C.C.R. § 1602(v).

2) The referenced portions of the C.C.R. shall be those adopted on or before the effective date of this act. However, the commissioner shall have authority to amend the rules so that the definitions of 'computer' and 'computer monitor' and the minimum efficiency standards for computers and computer monitors conform to subsequently adopted modifications to the referenced sections of the C.C.R.

(8) State-regulated general service lamps shall meet or exceed a lamp efficacy of 45 lumens per watt, when tested in accordance with the applicable federal test procedures for general service lamps, prescribed in Section 430.23 (gg) of Title 10 of the Code of Federal Regulations.

(9) High CRI, fluorescent lamps shall meet the minimum efficiency requirements contained in Section 430.32(n)(4) of Title 10 of the Code of Federal Regulations as in effect on January 3, 2019, when tested in accordance with the test procedure prescribed in Appendix R to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations as in effect on January 3, 2019:

(10) Plumbing fittings shall meet the following requirements:

(a) When tested in accordance with the flow rate test procedure prescribed in Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations: the flow rate of lavatory faucets and replacement aerators shall not be greater than 1.5 gallons per minute (hereafter referred to as gpm) at 60 pounds per square inch (hereafter referred to as psi); for sprayheads with independently controlled orifices and manual controls, the maximum flow rate of each orifice that manually turns on or off shall not exceed the maximum flow rate for a lavatory faucet; and for sprayheads with collectively controlled orifices and manual controls, the maximum flow rate of a sprayhead that manually turns on or off shall be the product of (i) the maximum flow rate for a lavatory faucet, and (ii) the number of component lavatories (rim space of the lavatory in inches (millimeters) divided by 20 inches [508 millimeters]);

(b) The flow rate of residential kitchen faucets and replacement aerators shall not be greater than 1.8 gpm with optional temporary flow of 2.2 gpm at 60 psi when tested in accordance with the flow rate test procedure prescribed in Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations; and

(c) The flow rate of public lavatory faucets and replacement aerators shall not be greater than 0.5 gpm at 60 psi when tested in accordance with the flow rate test procedure prescribed in Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations;

(d) The flow rate of showerheads shall not be greater than 2.0 gpm at 80 psi when tested in accordance with the flow rate test procedure prescribed in Appendix S to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations, effective on January 3, 2019.

(11) Plumbing fixtures shall meet the following requirements:

(a) The water consumption of urinals and water closets, other than those designed and marketed exclusively for use at prisons or mental health care facilities, shall be no greater than the values shown in items (a)(ii)(A) through (a)(ii)(D) when tested in accordance with the:

(i) Water consumption test prescribed in Appendix T to Subpart B of Part 430 of Title 10 of the Code of Federal Regulations.

(ii) Waste extraction test for water closets (Section 7.9) of ASME A112.19.2/CSA B45.1-2018.

(b) Urinals shall have a maximum flush volume of 0.5 gallons per flush.

(c) Water closets, except for dual-flush tank-type water closets, shall have a maximum flush volume of 1.28 gallons per flush.

(d) Dual-flush tank-type water closets shall have a maximum effective flush volume of 1.28 gallons per flush.

(12) Portable electric spas shall meet the requirements of the American National Standard for Portable Electric Spa Energy Efficiency (ANSI/APSP/ICC-14-2019).

(13) Water coolers shall have on mode with no water draw energy consumption, a test that records the 24-hour energy consumption of a water cooler with no water drawn during the test period, less than or equal to the following, as measured in accordance with the test criteria prescribed in Version 2.0 of the ENERGY STAR program product specifications for water coolers:

(a) 0.16 kilowatt-hours per day for cold-only and cook-and-cold units;

(b) 0.87 kilowatt-hours per day for hot-and-cold units—storage type; and

(c) 0.18 kilowatt-hours per day for hot and cold units—on demand.\

(14) Residential ventilating fans shall meet the qualification criteria of the ENERGY STAR Program Requirements Product Specification for Residential Ventilating Fans, Version 4.1.

(15) Commercial ovens included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Ovens, Version 2.2, shall meet the qualification criteria of that specification.

(16) Commercial dishwashers included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Dishwashers, Version 2.0, shall meet the qualification criteria of that specification.

(17) Commercial fryers included in the scope of the ENERGY STAR Program Requirements Product Specification for Commercial Fryers, Version 2.0, shall meet the qualification criteria of that specification.

(18) Commercial steam cookers shall meet the requirements of the ENERGY STAR Program Requirements Product Specification for Commercial Steam Cookers, Version 1.2.

(19) Spray sprinkler bodies that are not specifically excluded from the scope of the WaterSense Specification for Spray Sprinkler Bodies, Version 1.0, shall include an integral pressure regulator and shall meet the water efficiency and performance criteria and other requirements of that specification.

(20) Electric vehicle supply equipment included in the scope of the ENERGY STAR Program Requirements Product Specification for Electric Vehicle Supply Equipment, Version 1.0 (Rev. Apr-2017), shall meet the qualification criteria of that specification.

SECTION 15BB. Said section 5 of said chapter 25B, as so appearing, is hereby further amended by inserting after the fourth paragraph the following paragraph:—

On or after January 1, 2022, no new, commercial dishwasher, commercial fryer, commercial hot-food holding cabinet, commercial oven, commercial steam cooker, computer or computer monitor, electric vehicle supply equipment, faucet, high CRI

fluorescent lamp, , portable electric spa, residential ventilating fan, showerhead, spray sprinkler body, urinal, water closet, or water cooler may be sold or offered for sale, lease, or rent in the state unless the efficiency of the new product meets or exceeds the efficiency standards set forth in the regulations adopted pursuant to Section 16.

a) On or after the date 12 months after enactment of this ACT, no state-regulated general service lamp may be sold or offered for sale in the state unless the efficiency of the new product meets or exceeds the efficiency standards provided in Section 16.

SECTION 15CC. Section 9 of said chapter 25B, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:—

If any of the energy or water conservation standards issued or approved for publication by the Office of the United States Secretary of Energy as of January 1, 2018 pursuant to the Energy Policy and Conservation Act, 10 C.F.R. §§ 430-431, are withdrawn, repealed or otherwise voided, the minimum energy or water efficiency level permitted for products previously subject to federal energy or water conservation standards shall be the previously applicable federal standards and no such product may be sold or offered for sale in the state unless it meets or exceeds such standards.".

After remarks the amendment was adopted.

Representatives Hecht of Watertown and Barber of Somerville then moved to amend the bill by inserting after section 20F (inserted by amendment) the following section:

"SECTION 20G. Not later than 6 months after the effective date of this act, the department of energy resources and department of transportation shall file a report with the joint committee on transportation identifying state routes, U.S. routes, and interstate highways in Massachusetts that are high priority for public electric vehicle charging station installation. Determinations of priority shall be based on locations with high levels of air pollution in close proximity to transportation infrastructure, locations in close proximity to environmental justice populations, high total traffic volume on the route, volume of trips on the route that exceed 50 miles, importance of the route for accessing employment centers, tourist attractions, and other frequent destinations, and other factors as detailed in the report. The report shall consider locations across the commonwealth, including within municipal light plant territories, and assess the benefit and potential cost savings to ratepayers for potential locations.".

The amendment was adopted.

Mr. Michlewitz of Boston and other member of the House then moved to amend the bill by inserting after section 17A (inserted by amendment) the following 3 sections:

"SECTION 17B. The fourth sentence of subsection (b) of section 83C of chapter 169 of the acts of 2008, as appearing in section 12 of chapter 188 of the acts of 2016, is hereby amended by striking out the figure '1,600' and inserting in place thereof the following figure:— 3,600.

SECTION 17C. The fifth sentence of said subsection (b) of said section 83C of said chapter 169, as amended by chapter 48 of the acts of 2019, is hereby further amended by striking out the figure '24', as appearing in section 12 of chapter 188 of the acts of 2016, and inserting in place thereof the following figure:— 18.

SECTION 17D. The sixth sentence of said subsection (b) of said section 83C of said chapter 169, as appearing in said section 12 of said chapter 188, is hereby further amended by inserting, after the word 'resources', the following words:— and the executive office of housing and economic development.".

After remarks on the question on adoption 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 159 members voted in the affirmative and 0 in the negative.

Consolidated amendments adopted,— yea and nay No. 255.

[See Yea and Nay No. 255 in Supplement.]

Therefore the consolidated amendments were adopted.

Engrossed Bills – Land Takings.

The engrossed Bill authorizing the city of Gloucester to use certain lands for municipal school purposes (see Senate, No. 2628, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Gloucester,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yea and nay No. 256.

[See Yea and Nay No. 256 in Supplement.]

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

The engrossed Bill authorizing the town of Harvard to convey an easement over a certain parcel of conservation land (see Senate, No. 2866) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Harvard,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yea and nay No. 257.

[See Yea and Nay No. 257 in Supplement.]

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

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain parcels of land in the city of Salem (see Senate, No. 2584, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Salem,— land.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

Bill enacted (land taking),— yea and nay No. 258.

[See Yea and Nay No. 258 in Supplement.]

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

Recess.

At nine minutes before six o'clock P.M. (Friday, July 31), on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until a quarter before seven o'clock P.M.; and at ten minutes after seven o'clock the House was called to order with Mr. Donato in the Chair. Recess.

Papers from the Senate.

The House Bill authorizing the city known as the town of Barnstable to grant easement over certain conservation land (House, No. 4906) (its title having been changed by the Senate committee on Bills in the Third Reading), came from the Senate passed to be engrossed, in concurrence, with amendments in section 1, in lines 17 and 18, striking out the sentence contained in those lines; and striking out section 2 and inserting in place thereof the following two sections: Barnstable,—land.

"SECTION 2. As a condition of the conveyance of the easements in Section 1, Eversource shall provide compensation to the town of Barnstable in an amount at least equal to the appraised value of the easements to be conveyed that shall be deposited in an account for the acquisition of conservation land and such conveyance shall be subject to the settlement agreement between the town of Barnstable and Eversource dated June 4, 2019.

SECTION 3. This act shall take effect upon its passage.".

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the amendments (reported by said committee to be correctly drawn) were adopted, in concurrence.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner (House, No. 4911), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 4, in line 36, striking out the word "conveyance" and inserting in place thereof the word "transaction". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the amendment (reported by said committee to be correctly drawn) was adopted, in concurrence. Gardner,—land.

The House Bill relative to clean energy generation at the Essex North Shore Agricultural and Technical School (House, No. 4922), came from the Senate passed to be engrossed, in concurrence, with an amendment in line 5 inserting after the word "may" the following: "subject to Chapter 30B of the General Laws". The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the amendment (reported by said committee to be correctly drawn) was adopted, in concurrence. Essex North Shore.

Reports of Committees.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill prohibiting discrimination based on natural hair styles (House, No. 4828), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4930). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling. Natural hair styles.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Mr. Ultrino of Malden, the bill (having been 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. Sent to the Senate for concurrence.

Engrossed Bills – Land Takings.

Holyoke,— land.

The engrossed Bill authorizing the city of Holyoke to convey a certain parcel of land (see House, No. 4873) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 259.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 259 in Supplement.]

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

Norfolk,— land.

The engrossed Bill designating and transferring certain land in the town of Norfolk for conservation, open space, water supply protection, and recreation purposes (see House, No. 4920) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 260.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 158 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 260 in Supplement.]

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

Acton,— land.

The engrossed Bill authorizing the Water Supply District of Acton to enter into a lease, license or other disposition of land held for water supply purposes for the construction, operation and maintenance of a solar energy generating and energy storage facility (see House, No. 4923) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 261.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 261 in Supplement.]

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

Barnstable,— land.

The engrossed Bill authorizing the city known as the town of Barnstable to grant easement over certain conservation land (see House, No. 4906, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 262.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 262 in Supplement.]

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

Gardner,— land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain portion of the Gardner Heritage State Park to the city of Gardner (see House, No. 4911, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 263.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 263 in Supplement.]

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

Essex North Shore,— land.

The engrossed Bill relative to clean energy generation at the Essex North Shore Agricultural and Technical School (see House, No. 4922, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was put upon its final passage.

Bill enacted (land taking),— yea and nay No. 264.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 264 in Supplement.]

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

Orders of the Day.

Climate policy.

The Senate Bill setting next-generation climate policy (Senate, No. 2500, amended), was considered.

After remarks on the question on passing the bill, as amended, to be engrossed, in concurrence, Mr. Moran of Lawrence and other members of the House moved to

amend it by inserting after section 15CC (inserted by amendment) the following ten sections:

"SECTION 15DD. Said chapter 82, as so appearing, is hereby amended by striking out section 40E, and inserting in place thereof the following section:—

Section 40E. Any person or company found by the department, after a hearing, to have violated any provision of sections 40A to 40E, inclusive, shall be fined not more than $200,000; provided that nothing herein shall be construed to require the forfeiture of any penal sum by a residential property owner for the failure to pre-mark for an excavation on such person's residential property.

SECTION 15EE. Section 185 of chapter 149 of the General Laws, as so appearing, is hereby amended by inserting, after the definition of 'public body' the following definition:—

(3½) 'Public utility employer,' a gas and electricity public utility provider.

SECTION 15FF. Said section 185 of said chapter 149, as so appearing, is hereby further amended by inserting in lines 4, 20, 24, 29, 32 to 33, 33, 42, 43, 57, 61, 79, 84, 88, 89, 97, 99, and 103 after the word 'employer' in each instance, thereof the following:— or public utility employer.

SECTION 15GG. Said section 185 of said chapter 149, as so appearing, is hereby further amended by inserting in lines 33 to 34 and 44 after the word 'relationship,' in each instance thereof the following:— including private contractors hired to perform work customarily performed by employees of public utility employers,.

SECTION 15HH. Section 1E of chapter 164 of the General Laws, as so appearing, is hereby amended in line 12 by inserting after the word 'levels' the following:— , public safety measures,.

SECTION 15II. Section 1F of said chapter 164, as so appearing, is hereby amended by adding the following:—

(h) The department shall ensure that all written complaints under this section received from customers and the public regarding gas providers are investigated and a response to the complainant provided in a timely manner. The department shall establish a publicly accessible database of all complaints received, noting the category of complaint, the date it was received, the steps taken to address the complaint and that date it was resolved.

SECTION 15JJ. Section 1J of chapter 164 of the General Laws, as so appearing, is hereby amended by striking out, in line 5, the figure '250,000' and inserting in place thereof the following figure:— 500,000.

SECTION 15KK. Said section 1J of said chapter 164, as so appearing, is hereby further amended by striking out, in line 8, the figure '20,000,000' and inserting in place thereof the following figure:—50,000,000.

SECTION 15LL. Section 105A of said chapter 164, as so appearing, is hereby amended by striking out, in lines 21 to 23, inclusive, the words 'as specified in 49 U.S.C. section 60122(a)(1) or any successor statute enacted into federal law for the same purposes as said section 60122(a)(1)' and inserting in place thereof the following words:— of not more than $500,000 for each violation; provided, however, that the maximum civil penalty under this section for a related series of violations shall be $10,000,000; and, provided further that the dollar limits in this sentence shall be doubled in the event that the department determines that the violator has engaged in one or more similar violations in the three years preceding the violation. A separate violation occurs for each day the violation continues.

SECTION 15MM. Said Chapter 164 of the General Laws, as so appearing, is hereby amended by inserting after section 115A, the following 3 sections:

Section 115B. The department shall promulgate regulations establishing: (1) inspection and reporting requirements for the inspection of pipe, including gas company service lines connected to an inside meter from the pipeline, and (2) notice to occupants of the inspection process and any findings resulting therefrom, and (3) hazard repair and replacement requirements.

Section 115C. Every gas piping system shall be constructed, operated and maintained in compliance with federal pipeline safety standards pursuant to 49 CFR 192. Notwithstanding any general or special law to the contrary, the department may establish pipeline safety standards that exceed those set forth in 49 CFR 192. In establishing such standards, the department may consider recommended practices issued by industry or non-profit organizations.

Section 115D. The department shall promulgate regulations for improving emergency preparedness and response during emergency situations concerning the transportation or distribution of gas. Regulations shall address communication and coordination between the commonwealth, municipalities and other governmental entities.";

By inserting after section 17D (inserted by amendment) the following five sections:

"SECTION 17E. Chapter 164 of the General Laws is hereby amended by striking out the first sentence of paragraph (3) of subsection (b) of section 144, as so appearing, and inserting in its place the following:

(3) A Grade 2 leak shall be a leak that is recognized as non-hazardous to persons or property at the time of detection, but justifies scheduled repair based on probable future hazard. The gas company shall repair Grade 2 leaks or replace the main within 6 months from the date the leak was classified; provided, however, that said repair or replacement may take place later than 6 months from the date the leak is classified, but no later than 12 months from the date the leak is classified, if any required permits for such repair or replacement are temporarily withheld consistent with a seasonal moratorium.

SECTION 17F. Said section 144 of said chapter 164, as so appearing, is hereby amended by inserting after subsection (g), inserted by amendment 28, the following 3 subsections:—

(h) Each distribution company shall maintain an accurate and timely record of any Grade 3 leaks that, upon re-inspection, are upgraded to a Grade 1 or 2 leak. The department shall establish a service quality metric for the same, and each distribution company shall report any upgrades of Grade 3 leaks to the department on a monthly basis.

(i) The department shall promulgate regulations establishing requirements for the maintenance, timely updating, accuracy, and security of gas distribution company maps and records.

(j) Disruptions in the provision of electronic data, including but not limited to, maps and records relevant to inspections, maintenance, repairs, and construction to its in-house workforce and contractors, lasting more than 30 minutes to field personnel and field contractors shall be incorporated as a metric in the department's service quality indicators for local distribution companies.

SECTION 17G. Section 145 of said chapter 164, as so appearing, is hereby amended by striking out subsection (b) and inserting in place thereof the following subsection:—

(b) A gas company shall file with the department a plan to address aging or leaking natural gas infrastructure within the commonwealth and the leak rate on the gas company's natural gas infrastructure in the interest of public safety and reducing lost and unaccounted for natural gas through a reduction in natural gas system leaks. Each company's gas infrastructure plan shall include interim targets for the department's review. The department shall review these interim targets to ensure each gas company is meeting the appropriate pace to reduce the leak rate on and to replace the gas company's natural gas infrastructure in a safe and timely manner. The interim targets shall be for periods of not to exceed five years. The gas companies shall incorporate these interim targets into timelines for removing all leak-prone infrastructure filed pursuant to subsection(c) and may update them based on overall progress. The department may levy a penalty against any gas company that fails to meet its interim target in an amount up to and including the equivalent of 2.5 per cent of such gas company's transmission and distribution service revenues for the previous calendar year.

SECTION 17H. Section 145 of chapter 164 of the General Laws, as so appearing, is hereby amended in line 33 by striking the words 'and (vi) any other information the department considers necessary to evaluate the plan.', and inserting in place thereof - (vi) the relocations of a meter located inside of a structure to the outside of said structure for the purpose of improving public safety; and (vii) any other information the department considers necessary to evaluate the plan.

SECTION 17I. Subsection (c) of said section 145 of said chapter 164, as so appearing, is hereby amended by striking out the first sentence of the second paragraph and inserting in place thereof the following sentence:—

As part of each plan filed under this section, a gas company shall include a timeline for removing all leak-prone infrastructure on an accelerated basis specifying an annual replacement pace and program end date with a target end date of either (i) not more than 20 years from the filing of a gas company's initial plan, or (ii) a reasonable target end date considering the allowable recovery cap established pursuant to subsection (f).";

By inserting after section 20G (inserted by amendment) the following two sections:

"SECTION 20H. The department of public utilities shall establish rules and regulations by which the qualifications of contractors shall be evaluated. Contractors who wish to be eligible to receive contracts with a gas company to perform gas work shall be required to register and provide all required documentation to meet certification requirements with the department on an annual basis.

SECTION 20I. Notwithstanding any general or special law to the contrary, the department of public utilities shall conduct, publish, and periodically update a report detailing the degree to which each gas piping system operator adhered to the department's safety standards, reviewing the efficacy of said standards in protecting the physical health and financial prosperity of the commonwealth's residents, and analyzing recent advancements made in the theory and practice of pipeline safety and operation. The report shall include policy recommendations, including, but not limited to, legislation and regulations, that would enhance the safety of gas piping

systems by utilizing any theoretical or practical advancements in safety analyzed within it. The department may conduct field audits of gas companies operating in the Commonwealth to ensure compliance with all applicable statutes and regulations, and shall include the results of any such audits in the study required under this section or any subsequent updates to said study. The department shall publish the study no later than 1 year after the effective date of this act and shall publish updates to the study not less than every 36 months. Said study shall be submitted to the clerks of the house and senate, as well as to the joint committee on telecommunications, utilities and energy."; and

By adding the following two sections:

"SECTION 27. The department of public utilities shall promulgate regulations pursuant to section 115D of chapter 164 no later than December 31, 2021.

SECTION 28. The department of public utilities shall promulgate and implement the regulations required pursuant to subsection (i) of section 144 of chapter 164 by July 1, 2021.".

The amendments were adopted.

Mrs. Haddad of Somerset and other members of the House then moved to amend the bill in section 17, in line 226, by inserting after the word "facility" the following: "with an executed interconnection agreement with a distribution company on or after January 1, 2021"; and in lines 229, 230 and 231, by striking out the words "; provided, that any credits that are in excess of its annual electricity consumption as calculated at the end of the calendar year shall be credited or paid out at the utility's avoided cost rate." and inserting in place thereof the words ", other than parasitic or non-station load; provided, that any credits accrued in excess of its annual electricity consumption for the period running from April through the following March shall be credited or paid out for such excess credits at the utility's avoided cost rate.". The amendments were adopted.

Ms. Decker of Cambridge and other members of the House then moved to amend the bill by inserting after section 14 the following section:

"SECTION 14A. Subsection (a) of section 11F of chapter 25A, as so appearing, is hereby amended by striking out, in line 18 and 19, the words '2029; and (5)' and inserting in place thereof the following words:— 2024; (4) an additional 3 per cent of sales each year thereafter until December 31, 2029; and (5)".

The amendment was adopted.

The Speaker being in the Chair,—

Mr. Madaro of Boston and other members of the House then moved to amend the bill by inserting after section 15MM (inserted by amendment) the following five sections:

"SECTION 15NN. Section 62 of chapter 30 of the General Laws, as so appearing is hereby amended by inserting after the definition of 'Agency' the following 5 definitions:—

'Environmental benefits', the access to clean natural resources, including air, water resources, open space, constructed playgrounds and other outdoor recreational facilities and venues, clean renewable energy sources, environmental enforcement, training and funding disbursed or administered by the executive office of energy and environmental affairs.

'Environmental burdens', any destruction, damage or impairment of natural resources that is not insignificant, resulting from intentional or reasonably foreseeable

causes, including but not limited to, air pollution, water pollution, improper sewage disposal, dumping of solid wastes and other noxious substances, excessive noise, activities that limit access to natural resources and constructed outdoor recreational facilities and venues, inadequate remediation of pollution, reduction of ground water levels, impairment of water quality, increased flooding or storm water flows, and damage to inland waterways and waterbodies, wetlands, marine shores and waters, forests, open spaces, and playgrounds from private industrial, commercial or government operations or other activity that contaminates or alters the quality of the environment and poses a risk to public health.

'Environmental justice population', a neighborhood that meets 1 or more of the following criteria: (i) the annual median household income is not more than 65 per cent of the statewide annual median household income; (ii) minorities comprise 40 per cent or more of the population; (iii) 25 per cent or more of households lack English language proficiency; or (iv) minorities comprise 25 per cent or more of the population and the annual median household income of the municipality in which the neighborhood is located does not exceed 150 per cent of the statewide annual median household income; provided, however, that for a neighborhood that does not meet said criteria, but a geographic portion of that neighborhood meets at least 1criterion, the secretary may designate that geographic portion as an environmental justice population upon the petition of at least 10 residents of the geographic portion of that neighborhood meeting any such criteria. The secretary may determine that a neighborhood, including any geographic portion, shall not be designated an environmental justice population upon finding the annual median household income of that neighborhood is greater than 125 per cent of the statewide median household income; a majority of persons age 25 and older in that neighborhood have a college education; the neighborhood does not bear an unfair burden of environmental pollution; and has more than limited access to natural resources, including open spaces and water resources, playgrounds and other constructed outdoor recreational facilities and venues.

'Environmental justice principles', principles that support protection from environmental pollution and the ability to live in and enjoy a clean and healthy environment, regardless of race, color, income, class, handicap, gender identity, sexual orientation, national origin, ethnicity or ancestry, religious belief or English language proficiency., which includes: (i) the meaningful involvement of all people with respect to the development, implementation and enforcement of environmental laws, regulations and policies, including climate change policies; and (ii) the equitable distribution of energy and environmental benefits and environmental burdens.

'Neighborhood,' a census block group as defined by the U.S. Census Bureau, excluding, people who live in college dormitories and people who are under formally authorized, supervised care or custody, including federal, state or county prisons.

SECTION 15OO. Section 62B of said chapter 30, as so appearing, is hereby amended by striking out the first sentence of the third paragraph and inserting, in place thereof, the following sentence:—

An environmental impact report shall contain statements describing the nature and extent of the proposed project and its environmental and public health impact as result of any development, alteration and operation of the project; studies to evaluate said impacts; all measures being utilized to minimize any anticipated environment

and public health damage; and any adverse short-term and long-term environmental and public health consequences that cannot be avoided should the project be undertaken.

SECTION 15PP. Said section 62B of said chapter 30, as so appearing, is hereby further amended by adding the following paragraph:—

An environmental impact report shall be required for any project that is likely to cause damage to the environment that is not insignificant and is located within a distance of 1 mile of an environmental justice population; provided, that for a project that impacts air quality, such environmental impact report shall be required if the project is likely to cause damage to the environment that is not insignificant and is located within a distance of 5 miles of an environmental justice population. Said report shall contain statements about the results of an assessment of any existing unfair or inequitable environmental burden and related public health consequences impacting the environmental justice population from any prior or current, private, industrial, commercial, state, or municipal operation or project that has damaged the environment. The required assessment shall conform to the standards and guidelines established by the secretary. If the assessment indicates an environmental justice population is subject to an existing unfair or inequitable environmental burden or related health consequence the report shall identify any: (i) environmental and public health impact from the proposed project that would likely result in a disproportionate adverse effect on such population, and (ii) potential impact or consequence from the proposed project that would increase or reduce the effects of climate change on the environmental justice population. The secretary may require that an assessment be performed at any stage of the review process.

SECTION 15QQ. Section 62E of said chapter 30, as so appearing, is hereby amended by adding the following paragraph:—

No agency shall exempt from an environmental impact report any project that is located in a neighborhood that has an environmental justice population and is reasonably likely to cause damage to the environment, as defined in section 61. The provisions of this paragraph shall not apply to emergency actions essential to avoid or eliminate a threat to public health or safety, or threat to any natural resource, undertaken in compliance with section 62F.

SECTION 15RR. Chapter 30 of the General Laws is hereby amended by adding after section 62I the following 2 sections:—

Section 62J. To enable the public to assess the impact of proposed projects that affect their environment, health and safety through the project review process established under sections 61 through 62J, inclusive, the secretary shall provide opportunities for meaningful public involvement.

For any proposed project that requires the filing of an environmental notification form, the proponent of the project shall indicate on the document whether an environmental justice population that lacks English language proficiency within a designated geographical area is reasonably likely to be affected negatively by the project.

If a proposed project is significant and affects an environmental justice population, the secretary shall require additional measures to improve public participation by the environmental justice population. Such measures shall include, as appropriate: (i) making public notices, environmental notification forms, environmental impact reports, and other key documents related to the secretary’s

review and decisions of a project review available in English and any other language spoken by a significant number of the affected environmental justice population; (ii) providing translation services at public meetings for a significant portion of an affected environmental justice population that lacks English proficiency in the project's designated geographic area; (iii) require public meetings be held in accessible locations that are near public transportation; (iv) provide appropriate information about the project review procedure for the proposed project; and (vi) where feasible, establish a local repository for project review documents, notices and decisions.

The secretary of energy and environmental affairs may require such additional measures as appropriate for non-significant projects, or to improve participation opportunities for persons in an environmental justice population that lack English language proficiency and do not speak a dominant language spoken by such population.

As used in this section, the term designated geographic area shall mean an environmental justice population located within a distance of 1 mile of a project, unless the project affects air quality then the distance from such project shall be increased to within 5 miles of an environmental justice population.

Section 62K. The secretary shall consider the environmental justice principles, as defined in section 62, in making any policy or determination, or taking any action relating to a project review, undertaken pursuant to sections 61 through 62J, inclusive to reduce the potential for unfair or inequitable affects upon an environmental justice population.

To further the environmental justice principles the secretary shall direct its agencies, including the departments, divisions, boards and offices under the secretary's control and authority, to consider the environmental justice principles in making any policy, determination or taking any other action related to a project review, or in undertaking any project, under said sections and related regulations which is likely to affect environmental justice populations.

In addition, the secretary shall establish standards and guidelines for the implementation, administration and periodic review of environmental justice principles by the executive office of energy and environmental affairs and its agencies.

Section 62L. There shall be an environmental justice council to advise and provide recommendations to the secretary of energy and environmental affairs on relevant policies and standards to achieve the environmental justice principles. The council shall consist of at least 9, but not more than 15 fifteen members appointed by the governor, who shall designate a chair. Members may be removed without cause, by the governor. All members shall serve without compensation.

The secretary of energy and environmental affairs shall consult with the environmental justice council before making any substantial adoptions, revisions or amendments to any regulation related to the definition of environmental justice population as defined in section 62.

The environmental justice council shall conduct a comprehensive analysis by no later than July 31, 2022 and thereafter, every fifth year, to ensure the definition of environmental justice population in section 62 achieves the objectives of the environmental justice principles. The analysis shall include, but not be limited to, an evaluation of this definition as compared to the demographics of environmental

justice populations in the commonwealth. As part of the analysis, said council shall provide advice and make recommendations to the secretary on any necessary changes to the percentage thresholds included in this definition and any related regulation. The secretary shall consider the recommendations of the council regarding any proposed changes to the percentage thresholds under this definition, provided however, such changes are needed to achieve and promote the environmental justice principles as defined under section 61. Proposed regulations shall be adopted only after the approval of the council by a majority vote in the affirmative of those members so voting.

The environmental justice council may recommend and provide advice to the secretary on proposed substantial legislative or regulatory changes related to this definition at any time prior to conducting a comprehensive analysis."; and

By inserting after section 20I (inserted by amendment) the following section:

"SECTION 20J. The secretary shall no later than 365 days after this act takes effect, adopt regulations for the requirements, administration and enforcement of this act.".

Amendments adopted,—yea and nay No. 265.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Madaro; and on the roll call (Mr. Donato of Medford having taken the Chair) 159 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 265 in Supplement.]

Therefore the amendments were adopted.

Mr. Michlewitz of Boston and other members of the House then moved to amend the bill in section 14, in line 163, by inserting after the figures: "19" the following "; and provided further that the annual household income of such households is not more than 80 per cent of statewide median income, as determined by the low-income weatherization and fuel assistance program network";

In section 20, in line 282, by striking out the figures: "13" and inserting in place thereof the figures: "15"; and in line 285 by inserting after the "industry" the following: "1 of whom shall be a representative from the offshore wind electric generation industry";

In section 20A (inserted by amendment) by striking out the word "National" and inserting in place thereof the word "Natural"; and

By inserting after section 20J (inserted by amendment) the following section:

"SECTION 20K. Notwithstanding any general or special law to the contrary, the department of energy resources and department of public utilities shall amend any rules, regulations, and tariffs to permit the owner of any new solar facility, including any solar energy generating source, that qualifies for programs pursuant to section 11F of chapter 25A of the General Laws and application regulations that achieves commercial operation on or after January 1, 2021 to: (i) receive credits for any electricity generated by a solar facility that exceeds the owner's usage during a billing period, with such credits to be credited to a solar facility owner's customer account with the relevant distribution company, and carried forward from month to month; (ii) designate customers of the same distribution company, regardless of which ISO-NE load zone the customers are located in, to receive such credits in amounts attributed by the solar facility, with such credits applicable to any portion or all of a designated customer's electric bill; and (iii) direct the distribution company to purchase all or a portion of any credits produced by a solar facility at the rates provided for in the applicable statute, regulation, or tariff without discount or penalty. This section shall not apply to solar net metering facilities.".

The amendments were adopted.

Bill passed to be engrossed,—yea and nay No. 266.

On the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays, at the request of Mr. Golden of Lowell; and on the roll call 142 members voted in the affirmative and 17 in the negative.

[See Yea and Nay No. 266 in Supplement.]

Therefore the bill (House, No. 4933, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

Recess.

At twenty-nine minutes after nine o'clock P.M., on motion of Mr. Mariano of Quincy (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at a quarter before twelve o'clock A.M. the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Governmental infrastructure bonds.

Mr. Michlewitz of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2819) of the House Bill financing the general governmental infrastructure of the Commonwealth (House, No. 4733), reported, a bill with the same title (House, No. 4932). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on motion of Mr. Cabral of New Bedford, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Emergency Measures.

Newton,—land.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the city of Newton (see House, No. 4892), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 18 to 0. Sent to the Senate for concurrence.

Governmental infrastructure bonds.

The engrossed Bill financing the general governmental infrastructure of the Commonwealth (see House, No. 4932), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 15 to 0. Sent to the Senate for concurrence.

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

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 155 members voted in the affirmative and 4 in the negative.

Bill enacted (state loan),— yea and nay No. 267.

[See Yea and Nay No. 267 in Supplement.]

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

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.

Representative Coppinger of Boston then moved that when the House adjourns today, it do so in respect to the memory of Francis X. Coppinger, a member of the House from Boston from 1969 to 1972; and the motion prevailed.

Accordingly, at twenty-five minutes before one o'clock A.M. (Saturday, August 1, 2020), 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.