
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, DECEMBER 22, 2020.

[123]*

JOURNAL OF THE HOUSE.

Tuesday, December 22, 2020.

Met at thirteen minutes after twelve o'clock noon, pursuant to emergency rules, with Mr. Donato of Medford in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Pledge of
allegiance.

Change in Address of a Member.

The official home town of record for Representative Lenny Mirra, formerly of West Newbury, has been changed (effective for General Court records as of December 22, 2020) to the town of Georgetown.

Representative
Mirra of
Georgetown.

Petition.

Representative Cassidy of Brockton and Senator Brady presented a joint petition (subject to Joint Rule 12) of Gerard J. Cassidy and Michael D. Brady for legislation to establish a sick leave bank for John Graham, an employee of the Massachusetts Department of Transportation; and the same was referred, under Rule 24, to the committee on Rules.

John
Graham,—
sick leave.

Reports of Committees.

By Mr. O'Day of West Boylston, for the committee on Municipalities and Regional Government, on a petition, a Bill relative to an employment contract for the town of Hudson director of public works (House, No. 5174) [Local Approval Received].

Hudson,—
public works
director.

By the same member, for the same committee, on a petition, a Bill relative to gender neutral redraft of the home rule charter of the town of Ashland replacing all gendered references to board of selectmen with select board (House, No. 5192) [Local Approval Received].

Ashland,—
select board.

By the same member, for the same committee, on a petition, a Bill to amend the city of Everett charter by giving the mayor a voice and a vote on the Everett School Committee (House, No. 5193) [Local Approval Received].

Everett,—
mayoral
voting.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Quorum.

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 155 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 295.

[See Yea and Nay No. 295 in Supplement.]

Therefore a quorum was present.

Papers from the Senate.

The engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963), which had been returned to the Senate by His Excellency the Governor (under Article LVI of the Amendments to the Constitution) with recommendation of amendment [for message, see Senate, No. 2975], came from said branch with the endorsement that it amended the bill as follows:

Police
reform.

By striking out sections 3, 5, 7, 8, 12, 14, 17, 19, 20 24, 25, 27, 29, 31, 32 33, 34, 35, 36, 40, 55, 56, 60, 61, 62, 66, 71, 74, 75, 76, 81, 82, 88, 89, 93 and 121;

By striking out section 4 and inserting in place thereof the following section:

“SECTION 4. Chapter 6 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by striking out section 116 and inserting in place thereof the following section:

Section 116. There shall be a municipal police training committee within the executive office of public safety. Members of said committee shall be as follows: 5 chiefs of police to be appointed by the governor from nominations submitted by the Massachusetts Chiefs of Police Association Incorporated, 1 of whom shall be from the western Massachusetts region, 1 of whom shall be from the central Massachusetts region, 1 of whom shall be from the southeastern Massachusetts region, 1 of whom shall be from the northeastern Massachusetts region and 1 of whom shall be from the Massachusetts Bay Transportation Authority; 1 chief of police selected by the Massachusetts Chiefs of Police Association Incorporated; 1 police officer to be appointed by the governor from nominations submitted by the Massachusetts Police Association, Inc. executive board and the Massachusetts Police Training Officers Association, Inc. executive board; 2 sheriffs to be appointed by the governor; the chair of the Massachusetts Association of Minority Law Enforcement Officers, Inc.; the president of the Massachusetts Association of Women in Law Enforcement, Inc.; the commissioner of police of the city of Boston; the colonel of state police; the attorney general; and 1 person to be designated by the secretary of public safety and security; or their respective designees. All such appointments shall be for terms of 3 years with their successors appointed in a like manner.

The following persons, or their designees, shall be advisory, nonvoting members of the committee: the personnel administrator; the commissioner of correction; the commissioner of youth services; the commissioner of probation; the chair of the parole board; the executive director of the committee on criminal justice; the chief justice of the trial court of the commonwealth; the chief justice of the district court department; the secretary of education; the chair of the criminal law committee of the Massachusetts Bar Association; and the special agent in charge of the Boston office of the Federal Bureau of Investigation, if consent is given by the director of the bureau. The governor shall appoint 6 additional advisory, nonvoting members of the committee, 1 of whom shall be an administrator of a city or town, 1 of whom shall be a clerk of the superior court, 1 of whom shall be a member of the committee for public counsel services, 1 of whom shall be a social worker, 1 of whom shall be a mental health clinician and 1 of whom shall be a district attorney of a district, or their respective designees.

The committee shall elect a chair annually and shall, as needed, provide nominations for the selection of an executive director to the secretary of public safety and security. The secretary shall select an executive director from the nominations submitted by the committee. The position of executive director shall be classified in accordance with section 45 of chapter 30 and the salary shall be determined in accordance with section 46C of said chapter 30.

The committee shall set policies and standards for the training of the following, in accordance with applicable laws and regulations, including the training mandated by this chapter, section 36C of chapter 40, sections 96B and 97B of chapter 41 and section 24M of chapter 90:

- (i) municipal police officers and candidates for such appointment;
- (ii) Massachusetts Bay Transportation Authority transit police officers, and candidates for such appointment;
- (iii) police officers of the department of law enforcement within the executive office of environmental affairs, and candidates for such appointment;
- (iv) University of Massachusetts police officers, and candidates for such appointment;
- (v) Campus police officers attending committee-approved academies or training programs; and
- (vi) deputy sheriffs, appointed pursuant to section 3 of chapter 37, performing police duties and functions.

The committee shall set policies and standards for the screening of all applicants for admission to committee-certified academies. The committee shall set policies and standards for background investigations for all persons appointed to committee-certified academies and initial appointments of those persons, which investigations shall require at a minimum verification against the national decertification index or the database of decertified law enforcement officers maintained by the Massachusetts peace officer standards and training commission established in section 2 of chapter 6E.

The committee and the division of police certification established in section 4 of chapter 6E shall jointly establish minimum certification standards for all officers, pursuant to section 4 of chapter 6E.

The committee, and the Massachusetts peace officer standards and training commission established in section 2 of chapter 6E, shall jointly promulgate rules and regulations for the use of force by law enforcement officers consistent with sections 14 and 15 of chapter 6E.

The committee shall maintain records of training for all officers for whom the committee sets policies and standards for training, issue confirmation of satisfactory completion of training, and provide for extensions or waivers of training requirements for good cause and maintain records of any such extension or waiver and the reason. The committee shall provide records of completion of training to the Massachusetts peace officer standards and training commission established in section 2 of chapter 6E.

The committee shall coordinate with the center for responsive training in crisis intervention established pursuant to section 25 of chapter 19 on all behavioral health-related training.

The committee shall identify training requirements and develop guidance for meeting those requirements through trainings provided by the committee or other independent educational entities.

The committee shall review and recommend to the secretary of public safety and security an annual appropriation for the administration of the committee, as well as

for the operations of a headquarters and regional training centers, and for the delivery of standardized training at the centers.

The committee may promulgate regulations pursuant to chapter 30A as necessary to implement sections 116 to 118, inclusive”;

In section 10, in line 330, section 16, in line 353, section 23, in line 425, in section 102, in lines 2152, 2160, and 2162, in section 115, in lines 2624 and 2625; and in section 118, in line 2708, by striking out the words “committee on police training and certification” and inserting in place thereof, in each instance, the words “municipal police training committee”;

In section 23, in lines 395 and 396, and also in lines 417 and 418, by striking out the words “committee on police training and certification, established in section 4 of chapter 6E,” and inserting in place thereof, in each instance, the words “municipal police training committee”;

In section 23, in lines 426 and 427, by striking out the words “and subject to the approval of the Massachusetts peace officer standards and training commission”; and in said section adding at the end thereof the following section:

“Section 116K. (a) The municipal police training committee shall develop and establish, within its recruit basic training curriculum and its in-service training curriculum available to in-service trainees, a course for police training schools, academies and programs for the training of law enforcement officers on mental wellness and suicide prevention. The course, which shall consist of 2 hours of total instruction annually, shall teach law enforcement officers how to: (i) utilize healthy coping skills to manage the stress and trauma of policing; (ii) recognize the symptoms of post-traumatic stress disorder within themselves and other officers; and (iii) recognize the signs of suicidal behavior within themselves and other officers.

(b) The course shall include information on the mental health resources available to help law enforcement officers and shall be designed to reduce and eliminate the stigma associated with law enforcement officers receiving mental health services.

(c) The course of instruction shall be developed by the municipal police training committee in consultation with appropriate groups and individuals having an interest and expertise in law enforcement mental health and suicide prevention.

(d) All law enforcement officers shall annually attend and complete a course on mental wellness and suicide prevention.”;

By striking out section 26 and inserting in place thereof the following section:

“SECTION 26. Said chapter 6 is hereby further amended by adding the following section:—

Section 220. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Biometric surveillance system’, any computer software that performs facial recognition or other remote biometric recognition.

‘Facial recognition’, an automated or semi-automated process that assists in identifying or verifying an individual or capturing information about an individual based on the physical characteristics of an individual’s face, head or body, that uses characteristics of an individual’s face, head or body to infer emotion, associations, activities or the location of an individual; provided, however, that ‘facial recognition’ shall not include the use of search terms to sort images in a database.

‘Facial recognition search’, a computer search using facial recognition to attempt to identify an unidentified person by comparing an image containing the face of the unidentified person to a set of images of identified persons; provided, however, that a set of images shall not include moving images or video data.

‘Law enforcement agency’, as defined in section 1 of chapter 6E.

‘Other remote biometric recognition’, an automated or semi-automated process that assists in identifying or verifying an individual or capturing information about an individual based on an individual’s gait, voice or other biometric characteristic or that uses such characteristics to infer emotion, associations, activities or the location of an individual; provided, however, that ‘other remote biometric recognition’ shall not include the identification or verification of an individual using deoxyribonucleic acid, fingerprints, palm prints or other information derived from physical contact.

‘Public agency’, any: (i) agency, executive office, department, board, commission, bureau, division or authority of the commonwealth; (ii) political subdivision thereof; or (iii) authority established by the general court to serve a public purpose.

‘Public official’, any officer, employee, agent, contractor or subcontractor of any public agency.

(b) Any law enforcement agency performing or requesting a facial recognition search using facial recognition technology shall only do so through a written request submitted to the registrar of motor vehicles, the department of state police or the Federal Bureau of Investigation. A law enforcement agency may perform such a facial recognition search for the following purposes: (i) to execute an order, issued by a court or justice authorized to issue warrants in criminal cases, based upon specific and articulable facts and reasonable inferences therefrom that provide reasonable grounds to believe that the information sought would be relevant and material to an ongoing criminal investigation or to mitigate a substantial risk of harm to any individual or group of people; or (ii) without an order to identify a deceased person or if the law enforcement agency reasonably believes that an emergency involving substantial risk of harm to any individual or group of people requires the performance of a facial recognition search without delay. Any emergency request shall be narrowly tailored to address the emergency and shall document the factual basis for believing that an emergency requires the performance of a facial recognition search without delay.

This subsection shall not apply to the department of state police when performing investigatory functions related to the issuance of identification documents by the registrar of motor vehicles.

(c) Law enforcement agencies shall document each facial recognition search performed and shall provide such documentation quarterly to the executive office of public safety and security. Such documentation shall include: (i) a copy of any written request made for a facial recognition search; (ii) the date and time of the request; (iii) the number of matches returned, if any; (iv) the database searched; (v) the name and position of the requesting individual and employing law enforcement agency; (vi) the reason for the request, including, but not limited to, any underlying suspected crime; (vii) the entity to which the request was submitted; and (viii) data detailing the individual characteristics included in the facial recognition request. Such documentation shall not be a public record, except for as provided for in (d).

(d) Annually, not later than September 1, the executive office of public safety and security shall publish on its website documentation received from law enforcement agencies under subsection (c) and the following data for the previous calendar year: (i) the total number of facial recognition search requests made by other law enforcement agencies to the department of state police, disaggregated by law enforcement agency; (ii) the total number of facial recognition searches performed by the department of state police, disaggregated by law enforcement agency on whose behalf the search was performed; (iii) the total number of facial recognition searches requested and performed by the state police; (iv) the total number of facial recognition

search requests made by the department of state police to the Federal Bureau of Investigation, disaggregated by law enforcement agency on whose behalf the requests were made; and (v) the total number of facial recognition searches performed by the Federal Bureau of Investigation on behalf of Massachusetts law enforcement agencies, disaggregated by law enforcement agency on whose behalf the search was performed. For each category of data and each law enforcement agency, the published information shall specify the number of requests made or searches performed pursuant to a court order, the number of emergency requests made or searches performed, and the reason for requested the search, including, but not limited to, any underlying suspected crime.

(e) Notwithstanding subsection (b), a law enforcement agency may: (i) acquire and possess personal electronic devices, such as a cell phone or tablet, that utilizes facial recognition technology for the sole purpose of user authentication; (ii) acquire, possess and use automated video or image redaction software; provided, that such software does not have the capability of performing facial recognition or other remote biometric recognition; and (iii) receive evidence related to the investigation of a crime derived from a biometric surveillance system; provided, that the use of a biometric surveillance system was not knowingly solicited by or obtained with the assistance of a public agency or any public official in violation of said subsection (b).”;

In section 30, in line 531, inserting after the word “level.”, the following sentence: “This definition shall include policing decisions made by or conduct of law enforcement officers that: (1) are based on a law enforcement purpose or reason which is non-discriminatory, or which justifies different treatment; or (2) consider a person’s race, ethnicity, sex, gender identity, sexual orientation, religion, mental or physical disability, immigration status or socioeconomic or professional level because such factors are an element of a crime.”; in lines 540 and 541, by striking out the sentence contained in those lines, in lines 560 and 561 by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “‘Division of certification’, the division of police certification established pursuant to section 4.”, in lines 564 to 568, inclusive, by striking out the paragraph contained in those lines, in lines 583 and 584, and also in lines 600 to 605, inclusive, by striking out the text contained in those lines, in line 616 inserting after the word “sergeant” the following: “who is a labor union representative appointed from a list of 3 nominations submitted by the Chair of the Massachusetts Law Enforcement Policy Group”, in line 710, and also in line 716, by inserting after the word “establish”, in each instance, the following: “, jointly with the municipal police training committee established in section 116 of chapter 6,”, in lines 787, 788, and 789, in section 64, in line 1624, and in section 65, in line 1632, by striking out, in each instance, the words “training and”, in lines 790 and 791 by striking out the words “including a basic recruit training curriculum and an in-service training curriculum for law enforcement officers”, in lines 791, 792 and 793 by striking out the sentence contained in those lines and inserting in place thereof the following sentence: “The head of the division shall be the certification director, who shall be appointed by the commission.”, in lines 794 to 829, inclusive, by striking out the text contained in those lines, in line 830 by striking out the words “committee-certified”, in line 831 by inserting after the word “academies” the following: “approved by the municipal police training committee pursuant to section 118 of chapter 6, or the training programs prescribed by chapter 22C,”, in lines 834 to 838, inclusive, by striking out the sentence contained in those lines, in lines 839 to 846, inclusive, by striking out the two paragraphs contained in those lines, in lines 847 and 848 by striking out the words “The committee shall, subject to the approval of the commission,”, and inserting in place thereof the

following: “The division of police certification and the municipal police training committee established in section 116 of chapter 6 shall jointly.”, in lines 850 and 851 by striking out the words “designed by the committee and approved by the commission”, and inserting in place thereof the words “approved by the municipal police training committee”, in lines 857 by striking out the words “administered by the committee and”, in line 859 by inserting after the word “interview” the words “administered by the commission”, in line 876 by striking out the word “committee”, and inserting in place thereof the words “division of police certification”, in line 882 by inserting after the word “trainings” the following: “, as provided by the municipal police training committee established in section 116 of chapter 6, and the department of state police”, in line 901 by striking out the word “committee”, and inserting in place thereof the words “division of police certification”, in line 905 by striking out the word “committee,” and inserting in place thereof the following: “division of police certification in consultation with the municipal police training committee established in section 116 of chapter 6, and”, in lines 914 to 948, inclusive, by striking out the text contained in those lines, in line 1149 by striking out, in each instance, the word “committee” and inserting in place thereof, in each instance, the word “commission”, in line 1152 by inserting after the following: “(h)” the following two sentences: “An appointing agency shall complete an internal affairs investigation into officer misconduct and issue a final disposition within one year of receiving a complaint or notice from the commission of the complaint being filed. The commission may, upon a showing of good cause, extend the time to complete the investigation.”, in line 1156 inserting after the word “hearing”, the following: “. Any such suspension of the hearing shall not exceed 1 year from the officer’s notice to the commission; provided, however, that at any time during which the hearing is so suspended and upon a showing of good cause by the officer, the commission shall further suspend the hearing for a period of not less than 6 months and not more than the commission determines is reasonable”, in lines 1189 and 1190 by striking out the words “by the committee on police training and certification” and inserting in place thereof the words “jointly by the commission and the municipal police training committee”; and in lines 1237 and 1238 by striking out the words “The committee on police training and certification shall promulgate rules and regulations, subject to the approval of the commission, for the administration and enforcement of” and inserting in place thereof the following: “The commission and the municipal police training committee established pursuant to section 116 of chapter 6 shall jointly promulgate rules and regulations for the use of force by law enforcement officers consistent with”;

In section 54, in line 1489, by striking out the word “referred” and inserting in place thereof the word “preferred”;

In section 57, in line 1558 and 1559, by striking out the following: “shall be open to a uniformed member who is a: (i) noncommissioned officer” and inserting in place thereof the following: “for: (i) the title of noncommissioned officer shall be open to a uniformed member”, in line 1562 by striking out the word “lieutenant” and inserting in place thereof the words “the title of lieutenant shall be open to a uniformed member”, in line 1565 by striking out the words “a captain” and inserting in place thereof the words “the title of captain shall be open to a uniformed member”, in line 1569 by striking out the words “noncommissioned officer” and inserting in place thereof the word “uniformed member”, in line 1571 by striking out words “such promotion” and inserting in place thereof the words “promotion to the title of noncommissioned officer”, in line 1573 by striking out the word “lieutenant” and inserting in place thereof the words “uniformed member”, in line 1575 by striking out the words “such promotion” and inserting in place thereof the words “promotion to

the title of lieutenant”, in line 1577 by striking out the word “captain” and inserting in place thereof the words “uniformed member”; and in line 1579 by striking out the words “such promotion” and inserting in place thereof the words “promotion to the title of captain”;

In section 63, in line 1619, by striking out the words “and training”;

In section 79, in lines 1764, 1765 and 1766, by striking out the following: “the training director of the committee on police training and certification established in section 4 of chapter 6E or a designee” and inserting in place thereof the following: “the executive director of the municipal police training committee established in section 116 of chapter 6 or a designee; the certification director of the division of police certification established in section 4 of chapter 6E or a designee”, in lines 1795 and 1796 by striking out the following “Massachusetts peace officer standards and training commission established in section 2 of chapter 6E” and inserting in place thereof the following: “municipal police training committee established in section 116 of chapter 6”;

In section 84, in lines 1934 and 1935, by striking out the following: “committee on police training and certification established in said chapter 6E” and inserting in place thereof the following: “municipal police training committee established in section 116 of chapter 6”;

In section 94, in line 2052, inserting after the word “home” the following: “, unless there is a credible risk of imminent harm to the minor or adult over the age of 65 in the home”;

In section 99, in line 2110, by striking out the word “June” and inserting in place thereof the word “September”;

In section 102, in line 2143, inserting after the word “section.” the following sentence: “Notwithstanding section 4 of chapter 6E of the General Laws or the preceding sentence, a law enforcement officer, as defined in section 1 of said chapter 6E, who has completed an academy or training program certified by the municipal police training committee or the training programs prescribed by chapter 22C of the General Laws on or before December 1, 2021, and is appointed as a law enforcement officer as of December 1, 2021, shall be certified as of the effective date of this section.”, in line 2147 by striking out the words “Massachusetts peace officer standards and training commission” and inserting in place thereof the words “municipal police training committee”;

In section 103, in line 2191, in line 2253, in section 107, in line 2395, in section 108, in line 2477, in section 111, in line 2560, in section 112, in line 2588, and in section 116, in lines 2647 and 2648, by striking out, in each instance, the words “of the Boston branch”;

By striking out section 105 and inserting in place thereof the following section:

“SECTION 105. (a) Notwithstanding any special or general law to the contrary, there shall be a special legislative commission established pursuant to section 2A of chapter 4 of the General Laws to conduct a study on government use of facial recognition technology in the commonwealth.

The commission shall consist of 22 members: 2 of whom shall be the chairs of the joint committee on the judiciary or their designees, who shall serve as co-chairs; 3 of whom shall be appointed by the president of the senate; 3 of whom shall be appointed by the speaker of the house of representatives; 1 of whom shall be the minority leader of the house of representatives or a designee; 1 of whom shall be the minority leader of the senate or a designee; 1 of whom shall be the chief justice of the supreme judicial court or a designee; 1 of whom shall be the attorney general or a designee; 1 of whom shall be the secretary of public safety and security or a designee;

1 of whom shall be the registrar of motor vehicles or a designee; 1 of whom shall be the executive director of the American Civil Liberties Union of Massachusetts, Inc. or a designee; 1 of whom shall be the chief counsel for the committee for public counsel services or a designee; 1 of whom shall be the president of the National Association for the Advancement of Colored People New England Area Conference or a designee; 1 of whom shall be the chief legal counsel for the Massachusetts Bar Association or a designee; 1 of whom shall be the colonel of state police or a designee; 1 of whom shall be the president of the Massachusetts District Attorneys Association or a designee; 1 of whom shall be the president of the Massachusetts Chiefs of Police Association Incorporated or a designee; 1 of whom shall be an academic expert in: (i) data science, artificial intelligence and machine learning; (ii) social implications of artificial intelligence and technology; or (iii) information policy, technology and the law, to be appointed by the governor.

The commission shall evaluate government use of facial recognition technology in the commonwealth and make recommendations to the legislature regarding appropriate regulations, limits, standards and safeguards. The commission shall:

(i) survey current government uses of facial recognition technology in the commonwealth;

(ii) consult with academic experts in the fields of machine learning, algorithmic bias, criminal law, and human rights;

(iii) examine research regarding the ability of facial recognition technology to accurately identify people of different races, genders and ages;

(iv) examine and evaluate the facial recognition system operated by the registry of motor vehicles, make recommendations for regular independent bias testing and propose standards to ensure accuracy and equity of the system based on age, race, gender and religion;

(v) examine access to the facial recognition system operated by the registry of motor vehicles and the management of information derived from it, including, but not limited to, data retention, data sharing and audit trails;

(vi) evaluate current access by federal agencies to databases maintained by the commonwealth that catalogue images of faces and examine which agencies have such access, and the authorization for, and terms of, such access;

(vii) evaluate a requirement for law enforcement agencies to obtain a probable cause warrant prior to performing facial recognition searches, including the merits of requiring enhanced standards to perform a search similar to those set forth in section 99 of chapter 272 of the General Laws;

(viii) examine whether, and under what circumstances, it is appropriate for law enforcement agencies to perform facial recognition searches without a warrant, and make recommendations for safeguards regarding due process, accountability, oversight, documentation and transparency for any such searches;

(ix) provide recommendations for any necessary due process protections for criminal defendants when facial recognition technology is used in a criminal investigation;

(x) provide recommendations to ensure privacy for the public, including, but not limited to, the use of facial recognition to conduct surveillance of people in public spaces; and

(xi) provide recommendations for adequate training and oversight on the use of facial recognition technology.

For the purposes of this section, “facial recognition” shall mean an automated or semi-automated process that assists in identifying or verifying an individual or capturing information about an individual based on the physical characteristics of an

individual's face, head or body, that uses characteristics of an individual's face, head or body to infer emotion, associations, activities or the location of an individual; provided, however, that "facial recognition" shall not include the use of search terms to sort images in a database.

(b) The executive office of public safety and security shall, at the request of the commission, provide to the commission timely access to all information to be published in the annual report pursuant to subsection (d) of section 220 of chapter 6 of the General Laws.

(c) The commission shall convene beginning not later than February 15, 2021 and shall submit its findings and recommendations, including any proposed legislation, relative to the use of facial recognition technology by filing the same with the clerks of the house of representatives and senate and the governor not later than December 31, 2021.”;

In section 115, in lines 2619 and 2620, striking out the following: “committee on police training and certification, established in section 4 of chapter 6E of the General Laws,” and inserting in place thereof the words “municipal police training committee”;

In section 118, in line 2715, inserting after the word “The” the words “municipal police training”;

In section 119, in line 2718, by striking out the words “committee on police training and certification” and inserting in place thereof the following: “Massachusetts peace officer standards and training commission established in section 2 of chapter 6E”; and

By striking out sections 122 and 123 and inserting in place thereof the following three sections:

“SECTION 122. Sections 1, 4, 6, 9, 18, 26, 30, 37 to 39, inclusive, 67 to 70, inclusive, 73, 80, 84 to 86, inclusive, and 102 shall take effect on July 1, 2021.

SECTION 123. Subsection (d) of section 15 of chapter 6E shall take effect on September 1, 2021.

SECTION 124. Subsection (a) of section 14 of chapter 6E shall take effect on December 1, 2021.”.

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the amendment was correctly drawn; and, after debate, the amendments were adopted, in concurrence.

A petition of James B. Eldridge and Danielle W. Gregoire for legislation to establish a sick leave bank for Kathryn Price, an employee of the Department of Mental Health, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

Kathryn
Price,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2982) was referred, in concurrence, to the committee on Public Service.

Motions to Discharge Certain Matters in the Orders of the Day.

The engrossed Bill authorizing the town of Nantucket to supply itself and its inhabitants with water (see House, No. 4399), which had been returned to the House by His Excellency the Governor with his objections thereto in writing (for message, see House, No. 5205), was discharged from its position in the Orders of the Day and

Nantucket,—
water.

considered forthwith, under suspension of Rule 47, on motion of Mr. Speliotis of Danvers.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out the first sentence of subsection (f) of section 4 and inserting in place thereof the following sentence: “At the time of authorizing a loan under subsection (e), the town shall provide for the payment of said loan in accordance with said subsection (e).”; and the report was accepted.

The amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading) then was adopted. Sent to the Senate for its action.

The engrossed Bill providing for eviction protections during the COVID-19 pandemic emergency (see House, No. 5181), being a printed copy of sections 79, 80, 88 and 103 contained in the engrossed Bill making appropriations for the fiscal year 2021 (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment E of House, No. 5190), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

COVID-19,—
evictions.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. (a) Notwithstanding section 11 or section 12 of chapter 186 of the General Laws, chapter 239 of the General Laws or any other general or special law to the contrary, on and after the effective date of this act until the termination of the state of emergency concerning the outbreak of COVID-19 as declared by the governor on March 10, 2020, a notice to quit for nonpayment of rent given in writing by a landlord to a residential tenant pursuant to said section 11 or said section 12 of said chapter 186 shall be accompanied by a form that shall include, but not be limited to: (i) an attestation as to whether the tenant provided a declaration form pursuant to the federal Centers for Disease Control and Prevention order entitled ‘Temporary Halt in Residential Evictions to Prevent the Further Spread of COVID-19’; (ii) an attestation as to whether the dwelling unit is a covered dwelling under section 4024(a)(1) of the federal Coronavirus Aid, Relief, and Economic Security Act, P.L. 116-136, and whether the notice to quit is in compliance with section 4024(c) of said act; (iii) documentation of any agreements between the tenant and landlord for the tenant to repay the landlord for non-payment of rent; and (iv) information on: (A) rental assistance programs including, but not limited to, the residential assistance for families in transition program and the emergency rental and mortgage assistance program; (B) applicable trial court rules, standing orders or emergency administrative orders pertaining to actions for summary process; and (C) any relevant federal or state legal restrictions on residential evictions. The form shall also prominently display the following statement:

‘THIS NOTICE TO QUIT IS NOT AN EVICTION. YOU DO NOT NEED TO IMMEDIATELY LEAVE YOUR UNIT. YOU ARE ENTITLED TO A LEGAL PROCEEDING IN WHICH YOU CAN DEFEND AGAINST THE EVICTION. ONLY A COURT ORDER CAN FORCE YOU TO LEAVE YOUR UNIT.’

The executive office of housing and economic development shall develop the form required under this subsection and make it publicly available on its website not

later than December 18, 2020. The information in clause (iv) shall be made available in the 5 most common languages in the commonwealth, in addition to English.

(b) Notwithstanding section 11 or section 12 of chapter 186 of the General Laws or any other general or special law to the contrary, from December 18, 2020 until the termination of the state of emergency concerning the outbreak of the novel coronavirus disease, also known as COVID-19, declared by the governor on March 10, 2020, a landlord shall send electronically a copy of any notice to quit for nonpayment of rent given in writing by the landlord to a residential tenant pursuant to said section 11 or said section 12 of said chapter 186 to the executive office of housing and economic development; provided, however, that notices to quit received by the executive office of housing and economic development shall not be a public record as defined by clause Twenty-sixth of section 7 of chapter 4 of the General Laws or chapter 66 of the General Laws. The executive office of housing and economic development shall keep any personal identifying information in a notice to quit confidential; provided, however, that the executive office of housing and economic development may share such information with the individuals named in the notice to quit, the landlord or, to the extent permitted under federal law, a regional administering agency or housing consumer education center for the purposes of providing housing stability resources to tenants at risk of eviction.

(c) The executive office of housing and economic development shall issue emergency regulations as necessary to implement this section.

SECTION 2. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘COVID-19 emergency’, the state of emergency concerning the outbreak of COVID-19 as declared by the governor on March 10, 2020.

‘Short-term emergency rental assistance’, temporary financial assistance provided to a residential tenant to prevent an eviction or homelessness under the residential assistance for families in transition program, the emergency rental and mortgage assistance program or any other program established or modified as a result of the COVID-19 emergency and administered by the department of housing and community development, a municipality or a nonprofit entity administering such program, using public funds, on behalf of the department, a municipality or a federal agency to cure rent arrearage or provide financial assistance for moving cost assistance, including the payment of a security deposit.

(b) Notwithstanding chapter 239 of the General Laws or any other general or special law, rule, regulation or order to the contrary, during the COVID-19 emergency, a court having jurisdiction over an action for summary process under said chapter 239, including the Boston municipal court department, shall grant a continuance for a period as the court may deem just and reasonable if, at the time of the first case event in court: (i) the tenancy is being terminated solely for non-payment of rent for a residential dwelling unit; (ii) the non-payment of rent was due to a financial hardship related to or exacerbated by the COVID-19 emergency; and (iii) the defendant demonstrates, to the satisfaction of the court, a pending application for short-term emergency rental assistance; provided, however, notwithstanding this subsection, the court may consider any meritorious counterclaim brought in said action for summary process; provided further, that the court shall issue a stay of execution on a judgment for possession if the requirements in clauses (i) to (iii), inclusive, are met; and provided further, that the court shall not enter a judgment or issue an execution before the application has been approved or denied.

(c) Notwithstanding any general or special law to the contrary, not later than the fifteenth day of each month during the COVID-19 emergency, the executive office of

the trial court shall submit a report for the previous month to the clerks of the senate and house of representatives, the senate and house committees on ways and means, the joint committee on housing and the joint committee on the judiciary that shall include, but not be limited to: (i) the number of actions for summary process entered and filed with each court having jurisdiction over an action for summary process; (ii) the number of default judgments entered, delineated by the reason for the summary process filing; (iii) the number of execution for possession orders granted, delineated by the reason for the summary process filing; (iv) the number of continuances requested and granted due to pending applications for short-term emergency rental assistance pursuant to subsection (b); (v) the number of stays issued due to pending applications for short-term emergency rental assistance pursuant to subsection (b); (vi) the average length of a continuance and stay granted under said subsection (b); (vii) the number of stays requested, granted or denied pursuant to sections 9 and 10 of chapter 239 of the General Laws; (viii) the number of landlords and tenants participating in pre-trial mediation and, to the extent practicable, the outcome of each mediation; (ix) the number of landlords and tenants receiving legal representation and legal services through on-site court diversion and support resources; and (x) any other relevant information as the trial court may decide.

SECTION 3. Notwithstanding any general or special law to the contrary, on or before the fifteenth day of each month, during the COVID-19 emergency, the department of housing and community development shall submit a report to the house and senate committees on ways and means and the joint committee on housing, detailing the activities of the governor's COVID-19 eviction diversion initiative from the prior month. The report shall include a breakdown of each rental and housing assistance program, including, but not limited to: (a) the residential assistance for families in transition program and (b) the emergency rental and mortgage assistance program, which shall include: (i) the number of households who applied for assistance; (ii) the number of households approved for assistance, delineated by rental assistance and mortgage assistance; (iii) the number of households denied assistance; (iv) the minimum, median and average amount of financial assistance awarded; (v) the average number of days between the submission of an application and its approval or denial; (vi) the number of landlords who applied for assistance on behalf of tenants; and (vii) a breakdown of how assistance was utilized by each household receiving assistance, including, but not limited to, curing rental arrears, moving expenses, security deposit, first and last month's rent or other purposes; (c) the expansion of the housing consumer education centers, which shall include: (i) the number of households served, including number of households served by regional administering agency; and (ii) the number of special services coordinators assigned to each site; (d) rapid rehousing assistance through the HomeBase program, the Strategic Prevention Initiative and any other temporary program established to assist in rapid rehousing of families and individuals which shall include: (i) the number of households receiving assistance; (ii) the type of assistance given; and (iii) the average amount provided to each household receiving assistance; (e) the expansion of the tenancy preservation program which shall include: (i) the number of households served; and (ii) the number of trained staff; and (f) any other relevant information as the department may decide. The report shall also include the number of notices to quit received by the executive office of housing and economic development under section 1."; and the report was accepted.

After remarks on the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense

Governor's
amendment
rejected,—

of the House was taken by yeas and nays, at the request of Mr. Michlewitz; and on the roll call 30 members voted in the affirmative and 127 in the negative.

yea and nay
No. 296.

[See Yea and Nay No. 296 in Supplement.]

Therefore the amendment was rejected. Sent to the Senate for its action.

The engrossed Bill establishing a federal coronavirus relief funds website (see House, No. 5187), being a printed copy of section 104 contained in the engrossed Bill making appropriations for the fiscal year 2021 (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment K of House, No. 5190), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

COVID-19,—
website.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“(a) The executive office for administration and finance shall submit a report to the house and senate committees on ways and means that describes the funds made available to the commonwealth through the Coronavirus Preparedness and Response Supplemental Appropriations Act, 2020, Public Law 116-123, the Families First Coronavirus Response Act, Public Law 116-127, the Coronavirus Aid, Relief, and Economic Security Act, Public Law 116-136, Public Law 116-147 and any additional federal funds committed to the commonwealth to provide financial assistance in response to the novel coronavirus and aid in ongoing public health, community and economic recovery efforts. The executive office shall submit the first report on or before March 30, 2021; the second report on or before June 30, 2021; the third report on or before September 30, 2021, and the fourth report on or before December 30, 2021.

(b) The report shall provide a breakdown of: (i) all federal grants and direct funds allocated to or received by the commonwealth; (ii) amounts of federal grants and direct funds allocated to or received by the commonwealth, by federal program and administering state agency; (iii) reimbursements provided by the federal emergency management agency due to a national emergency declaration or other federal reimbursements related to the novel coronavirus; (iv) expenditures, for each federal program; (v) any other planned use of available funding for each federal program, by category of spending and purpose of expenditure.

(c) The executive office of administration and finance, in consultation with the office of the comptroller, shall develop and operate a publicly accessible and searchable website to provide reporting on expenditures made by the commonwealth from funds received through the federal Coronavirus Relief Fund created in Section 5001 of Public Law 116-136 and deposited in the Massachusetts Coronavirus Relief Fund.

The website shall be updated regularly and shall: (i) allow users to search electronically: (A) aggregated data by project; (B) federal category of spending; and (C) all transactions exceeding \$50,000, provided that personal identifying information is protected; (ii) allow users to download information; and (iii) where possible, contain graphical representations of the data.

(d) The executive office for administration and finance shall implement this act not later than March 30, 2021.”; and the report was accepted.

On the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House

Governor’s
amendment

was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 32 members voted in the affirmative and 126 in the negative.

[See Yea and Nay No. 297 in Supplement.]

Therefore the amendment was rejected. Sent to the Senate for its action.

The engrossed Bill providing for a long term and congregate care coronavirus transmission reduction guidance report (see House, No. 5188), being a printed copy of section 108 contained in the engrossed Bill making appropriations for the fiscal year 2021 (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment L [as it relates to Section 108] of House, No. 5190), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“The department of public health shall issue a report detailing the rules, regulations, guidance and best practices in place as of the effective date of this act to prevent the transmission of the 2019 novel coronavirus, also known as COVID-19, from patients being discharged from hospital facilities to nursing homes, skilled nursing facilities, rehabilitation centers and other congregate care facilities. The report shall include summaries and references to the rules, regulations, guidance and best practices on: (i) testing patients, including the frequency of testing; (ii) testing staff, including the frequency of testing; (iii) protocols related to non-COVID-19 hospitalizations, including discharge procedures; (iv) protocols related to COVID-19 hospitalizations, including discharge procedures; (v) the use of personal protective equipment for patients over 70 years of age, including for staff who directly treat said patients; and (vi) precautions for the transfer of patients from a hospital facility to a nursing home, skilled nursing facility, rehabilitation center or other congregate care facility.

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

On the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 31 members voted in the affirmative and 127 in the negative.

[See Yea and Nay No. 298 in Supplement.]

Therefore the amendment was rejected. Sent to the Senate for its action.

The engrossed Bill providing for a department of children and families school attendance report (see House, No. 5189), being a printed copy of section 110 contained in the engrossed Bill making appropriations for the fiscal year 2021 (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment L [as it relates to Section 110] of House, No. 5190), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

rejected,—
yea and nay
No. 297.

COVID-19,—
congregate care
transmission.

Governor’s
amendment
rejected,—
yea and nay
No. 298.

Schools,—
attendance
report.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“Not later than April 15, 2021, the department of children and families, in coordination with the department of elementary and secondary education, where applicable, shall report on statewide efforts taken since March 16, 2020 to monitor student attendance for children with active cases at the department of children and families, whether school participation is virtual, in-person, or a hybrid thereof, and shall report on any steps taken, or barriers to, ensuring active coordination between said agencies for the purpose of monitoring student attendance and meaningful school engagement with families who have active cases at the department of children and families.”; and the report was accepted.

On the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 31 members voted in the affirmative and 127 in the negative.

[See Yea and Nay No. 299 in Supplement.]

Therefore the amendment was rejected. Sent to the Senate for its action.

Governor’s
amendment
rejected,—
yea and nay
No. 299.

The engrossed Bill relative to regional tourism council grant distribution (see House, No. 5186), being a printed copy of section 107 contained in the engrossed Bill making appropriations for the fiscal year 2021 (see House, No. 5164), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see Attachment J of House, No. 5190), was discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47, on motion of Mr. Michlewitz of Boston.

Regional
tourism,—
grants.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“Grants from the amounts collected pursuant to subsection (a) of section 13T of chapter 23A of the General Laws allocated to regional tourism councils pursuant to clause (ii) of subsection (d) of said section 13T of said chapter 23A for fiscal year 2021 shall be distributed not later than February 1, 2021.”; and the report was accepted.

The amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading) then was adopted. Sent to the Senate for its action.

The House Bill establishing a sick leave bank for Karl Schneider, an employee of the Massachusetts Rehabilitation Commission (House, No. 5200), reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Barber of Somerville. The bill then was passed to be engrossed. Sent to the Senate for concurrence.

Karl
Schneider,—
sick leave.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5190), returning with

General
Appropriation
Bill.

his disapproval of parts of certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), reported, in part, that parts of certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Petrolati of Ludlow, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Michlewitz of Boston, the reports were considered forthwith.

Item 7061-0027 (contained in section 2) (One-time COVID-19 response, remote learning and student support grants), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$53,060,000 to \$75,000.

After remarks, on the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 300 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 7061-0027 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 3000-1042 (contained in section 2) (center-based child care rate increase), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$20,000,000 to \$10,000,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 301 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 3000-1042 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 3000-7050 (contained in section 2) (Mass family networks program), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$11,539,190 to \$11,042,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 302 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 3000-7050 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

One-time
COVID-19
response,
remote learning
support grants
item 7061-0027
stands,—
yea and nay
No. 300.

Center-based
child care
rate increase
item 3000-1042
stands,—
yea and nay
No. 301.

Mass family
networks
program
item 3000-7050
stands,—
yea and nay
No. 302.

Item 2200-0100 (contained in section 2) (Department of Environmental Protection administration), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$40,115,000 to \$33,239,295.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 132 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 303 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 2200-0100 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0100 (contained in section 2) (state parks and recreation operations), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$51,535,000 to \$49,170,283.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 304 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 2810-0100 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2260-8870 (contained in section 2) (hazardous waste site cleanup), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$14,789,058 to \$13,789,058.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 305 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 2260-8870 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2300-0101 (contained in section 2) (riverways protection and access), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$2,600,000 to \$2,000,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 153 members voted in the affirmative and 4 in the negative.

[See Yea and Nay No. 306 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Department of
Environmental
Protection
administration
item 2200-0100
stands,—
yea and nay
No. 303.

State parks
and recreation
operations
item 2810-0100
stands,—
yea and nay
No. 304.

Hazardous
waste site
cleanup
item 2260-8870
stands,—
yea and nay
No. 305.

Riverways
protection
and access
item 2300-0101
stands,—
yea and nay
No. 306.

Therefore item 2300-0101 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1231-1000 (contained in section 2) (sewer rate relief), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 132 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 307 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 1231-1000 passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7000-9402 (contained in section 2) (talking book library), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$482,264 to \$468,217.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 147 members voted in the affirmative and 10 in the negative.

[See Yea and Nay No. 308 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 7000-9402 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7000-9406 (contained in section 2) (talking book program), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$2,745,774 to \$2,665,800.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 155 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 309 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 7000-9406 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7000-9506 (contained in section 2) (telecommunication expenses of automated), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$4,386,770 to \$4,001,254.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 154 members voted in the affirmative and 3 in the negative.

[See Yea and Nay No. 310 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 7000-9506 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Sewer rate
relief
item 1231-1000
stands,—
yea and nay
No. 307.

Talking book
library
item 7000-9402
stands,—
yea and nay
No. 308.

Talking book
program
item 7000-9406
stands,—
yea and nay
No. 309.

Telecommunica-
tion expenses
of automated
item 7000-9506
stands,—
yea and nay
No. 310.

Item 7000-9508 (contained in section 2) (Center for the Book), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$225,000 to \$200,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 155 members voted in the affirmative and 2 in the negative.

[See Yea and Nay No. 311 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 7000-9508 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4403-2000 (contained in section 2) (Transitional Aid to Families with Dependent Children), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 130 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 312 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 4403-2000 (contained in section 2) was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4408-1000 (contained in section 2) (Emergency Aid to the Elderly, Disabled, and Children), which had been disapproved, in part, by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 130 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 313 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 4408-1000 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 4003-0122 (contained in section 2) (Office for Refugees and Immigrants), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$1,741,575 to \$1,241,575.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 132 members voted in the affirmative and 25 in the negative.

[See Yea and Nay No. 314 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 4003-0122 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Center for
the Book
item 7000-9508
stands,—
yea and nay
No. 311.

Transitional Aid
to Families with
Dependent
Children
item 4403-2000
stands,—
yea and nay
No. 312.

Emergency Aid
to the Elderly,
Disabled, and
Children
item 4408-1000
stands,—
yea and nay
No. 313.

Office for
Refugees and
Immigrants
item 4003-0122
stands,—
yea and nay
No. 314.

Item 7027-1004 (contained in section 2) (English language acquisition), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$4,533,474 to \$3,546,372.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 131 members voted in the affirmative and 26 in the negative.

[See Yea and Nay No. 315 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 7027-1004 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 1107-2501 (contained in section 2) (Disabled Persons Protection Commission), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$7,896,579 to \$5,793,837.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 316 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 1107-2501 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Emergency Measure.

The engrossed Bill providing for access to reproductive health services (see House, No. 5179), 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 9 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) (which had been returned by His Excellency the Governor with recommendation of amendment), was put upon its final passage.

On the question on passing the bill to be re-enacted, the sense of the House was taken by yeas and nays, as required under the provisions of Emergency Rule 2(4); and on the roll call (Mr. Cusack of Braintree in the Chair) 107 members voted in the affirmative and 50 in the negative.

[See Yea and Nay No. 317 in Supplement.]

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

Therefore the bill was passed to be re-enacted, without amendment; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

Mr. Donato of Medford being in Chair,—

English
language
acquisition
item 7027-1004
stands,—
yea and nay
No. 315.

Disabled
Persons
Protection
Commission
item 1107-2501
stands,—
yea and nay
No. 316.

Reproductive
health,—
access.

Bill
re-enacted,—
yea and nay
No. 317.

The engrossed Bill establishing a sick leave bank for James F. King, an employee of the Department of Correction (see House, No. 5146) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5190), returning with his disapproval of parts of certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), reported, in part, that parts of certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Petrolati of Ludlow, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Michlewitz of Boston, the reports were considered forthwith.

Item 0950-0050 (contained in section 2) (Commission on Gay, Lesbian and Transgender Youth), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$800,000 to \$500,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

Gay, Lesbian,
Transgender
Youth
Commission
item 0950-0050
stands,—
yea and nay
No. 318.

[See Yea and Nay No. 318 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0950-0050 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 0950-0080 (contained in section 2) (Commission on the Status of Asian Americans), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$170,000 to \$150,000.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

Commission
on the Status
of Asian
Americans
item 0950-0080
stands,—
yea and nay
No. 319.

[See Yea and Nay No. 319 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0950-0080 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Recess.

At ten minutes after five o'clock P.M., on motion of Mr. Cusack of Braintree (Mr. Donato of Medford being in the Chair), the House recessed until six o'clock

Recess.

P.M.; and at nine minutes after eight o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Reports of Committees.

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963) [for order see House, No. 5213]. The order was adopted.

Police
reform.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5190), returning with his disapproval of parts of certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), reported, in part, that parts of certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Petrolati of Ludlow, for said committee reported, in each instance, that the matters be scheduled for consideration by the House. Under suspension of Rule 7A, in each instance, on motion of Mr. Michlewitz of Boston, the reports were considered forthwith.

Item 0950-0000 (contained in section 2) (Commission on the Status of Women), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$206,479 to \$198,191.

On the question on passing said item, notwithstanding the reduction of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 152 members voted in the affirmative and 5 in the negative.

Commission
on the Status
of Women
item 0950-0000
stands,—
yea and nay
No. 320.

[See Yea and Nay No. 320 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 0950-0000 passed, notwithstanding the reduction of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 3000-7055 (contained in section 2) (Neighborhood Villages Pilot Program), which had been vetoed by the Governor, then was considered.

On the question on passing said item, notwithstanding the objections of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 129 members voted in the affirmative and 28 in the negative.

Neighborhood
Villages Pilot
Program
item 3000-7055
stands,—
yea and nay
No. 321.

[See Yea and Nay No. 321 in Supplement.]

[Mr. DeLeo of Winthrop answered "Present" in response to his name.]

Therefore item 3000-7055 passed, notwithstanding the objections of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 3000-1044 (contained in section 2) (Early Education and Care parent fee reserve), which had been disapproved, in part, by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 130 members voted in the affirmative and 27 in the negative.

[See Yea and Nay No. 322 in Supplement.]

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 3000-1044 passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Early Education
and Care parent
fee reserve
item 3000-1044
stands,—
yea and nay
No. 322.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the House Bill relative to the unfunded pension liability for retired sheriff’s department employees in Barnstable county (House, No. 3929), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5210). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Barnstable
County,—
pension
liability.

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, 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.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the House Bill authorizing the lease of Commonwealth property in the town of Oak Bluffs to the Martha’s Vineyard Shellfish Group, Inc. for the property’s continued use for shellfish propagation and other fisheries resources research and management activities (House, No. 4885), ought to pass with an amendment substituting therefor a Bill authorizing the lease of certain land in the town of Oak Bluffs to the Martha’s Vineyard Shellfish Group, Inc. for shellfish propagation and other fisheries resources research and management activities (House, No. 5211). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Oak Bluffs,—
land.

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, 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.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the House Bill authorizing the sale of real property in Brockton (House, No. 5059), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5212). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Brockton,—
property.

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, 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.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the House Bill further regulating certain affordable housing in Holyoke, Massachusetts (House, No. 4590) [Local Approval Received], ought to pass. Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Holyoke,—
housing.

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; and it was ordered to a third reading.

Recess.

At ten minutes after nine o'clock P.M. (Tuesday, December 22), on motion of Mr. Jones of North Reading (Mr. Donato of Medford being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at three minutes after eleven o'clock A.M. (Wednesday, December 23) the House was called to order with Mr. Donato in the Chair.

Recess.