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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, JULY 17, 2024.**

[69]\*

# JOURNAL OF THE HOUSE.

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Wednesday, July 17, 2024.

Met according to adjournment at eleven o'clock A.M. with Mr. Garballey of Arlington 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. Garballey), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of allegiance.

## *Guests of the House.*

Before the noon recess, the Chair (Mr. Garballey of Arlington), declared a brief recess and introduced a group of twenty young Cape Verdean women – 10 from the greater New Bedford area in the South Coast and 10 from the islands of Cape Verde. The women are participating in a week-long leadership program in New Bedford focusing on wellness, civic engagement, entrepreneurship, and leadership development called the “Empowering Young Cape Verdean Women Summit”. The participants, Rayana Rortes, Jessica Delgado, Rosemary Silva, Wilgo Correio, Linda Santos, Keila Santos, Melissa Baptista, Evelise Gomes, Dorislene Rivera, Wendy Rocha, Savannah Leao, Rosalinda Lima, Terany Spencer, Marya Barboza and Leida Rodrigues, are visiting the State House to discuss political engagement and their interest in gender justice, healthcare, childcare, maternal health, and environmental justice. They were the guests of Representatives Cabral of New Bedford, Kane of Shrewsbury and Vieira of Falmouth.

Empowering young Cape Verdean women.

Before the noon recess, the Chair (Mr. Garballey of Arlington), declared a brief recess and introduced the Lowell Youth Leadership Program Summer Camp Team. They were the guests of Representatives Elliott of Lowell and Howard of Lowell.

Lowell youth leadership team.

## *Resolutions.*

Resolutions (filed with the Clerk by Representative Kane of Shrewsbury and other members of the House) commending the Rett Syndrome Angels for recognizing October 1, 2024 as the first day of Rett Syndrome Awareness Month, were referred, under Rule 85, to the committee on Rules.

Rett Syndrome awareness.

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

## *Petitions.*

Petitions severally were presented and referred as follows:

By Representative Vaughn of Wrentham and Senator Rausch, a joint petition (accompanied by bill, House, No. 4881) of Marcus S. Vaughn and Rebecca L. Rausch (by vote of the town) relative to the term of the moderator in the town of Wrentham; and

Wrentham,—  
moderator.

By Representative Whipps of Athol and Senator Comerford, a joint petition (accompanied by bill, House, No. 4882) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Orange be authorized to convey five parcels of land.

Orange,—  
land.

Severally to the committee on Municipalities and Regional Government.  
Severally sent to the Senate for concurrence.

#### *Papers from the Senate.*

The House Bill relative to strengthening Massachusetts' economic leadership (House, No. 4804), 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 2869.

Economic  
development,—  
bonds.

Under suspension of Rule 35, on motion of Mr. Michlewitz of Boston, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Michlewitz, Parisella of Beverly and Muradian of Grafton were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee of  
conference.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

*Ordered,* That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until July 17, 2024, within which time to make its final report on current Senate documents numbered 1490, 1493, 1496, 1500, 1508, 1509, 1510, 1511, 1512, 1529, 1535, 1541, 1542, 1543, 1545, 1546, 1547, 1548, 1555, and 1582, relative to Public Safety and Homeland Security.

Public Safety  
and Homeland  
Security,—  
extension of  
time for  
reporting.

Under suspension of the rules, on motion of Mr. Howitt of Seekonk, the order (Senate, No. 2781) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 2870) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) relative to amend the provision of health insurance and other benefits in the town of Carver, was referred, in concurrence, to the committee on Public Service.

Carver,—  
health  
insurance.

#### *Reports of Committees.*

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the joint petition of F. Jay Barrows and Paul R. Feeney that the commissioner of Capital Asset Management and Maintenance be authorized to further regulate use restrictions on certain state owned property in the town of Foxborough. Under suspension of the rules, on motion of Mr. Vieira of Falmouth, the report was considered forthwith. Joint Rule 12 was suspended; and the joint petition

Foxborough  
State Hospital.

(accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

By Mr. Livingstone of Boston, for the committee on Children, Families and Persons with Disabilities, on House, Nos. 128, 158 and 191, an Order relative to authorizing the committee on Children, Families and Persons with Disabilities to make an investigation and study of certain House documents relative to medical treatment, foster care and wages (House, No. 4872).

Medical treatment, foster care, wages etc.,— study.

By Mr. Diggs of Barnstable, for the committee on Labor and Workforce Development, on Senate, Nos. 1196 and 1219, an Order relative to authorizing the committee on Labor and Workforce Development to make an investigation and study of certain Senate documents relative to job training and heat illness (House, No. 4873).

Job training and heat illness,— study.

By Mr. Cusack of Braintree, for the committee on Revenue, on Senate, Nos. 1861, 1877, 1905 and 2421, and House, Nos. 2705, 2739, 2857, 2859, 2949, 2962, 3660 and 4458, an Order relative to authorizing the committee on Revenue to make an investigation and study of certain Senate and House documents relative to employers, local option tax and other revenue matters (House, No. 4870).

Employers, local option tax, etc.,— study.

By the same member, for the same committee, on House, No. 2823, an Order relative to authorizing the committee on Revenue to make an investigation and study of a certain House document relative to senior property tax freeze (House, No. 4871).

Senior property tax freeze,— study.

By Mr. Cassidy of Brockton, for the committee on Veterans and Federal Affairs, on House, Nos. 3482, 3488, 3497, 3519, 3524 and 3529, an Order relative to authorizing the committee on Veterans and Federal Affairs to make an investigation and study of certain House documents relative to veterans' assistance, tax notification, education requirements and other related matters (House, No. 4869).

Veterans' assistance tax notification, etc.,— study.

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

Subsequently, Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports were considered forthwith; and they were accepted.

#### *Engrossed Bill.*

The engrossed Bill authorizing the city of Gardner to change the use of a certain parcel of land (see House, No. 4589) (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; and it was signed by the acting Speaker and sent to the Senate.

Bill enacted.

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

The Senate Bill changing the name of the board of selectmen in the town of East Bridgewater to select board (Senate, No. 2422), 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. Fiola of Fall River; and it was passed to be engrossed, in concurrence.

East Bridgewater,— select board.

The House Bill authorizing the town of Palmer to grant additional licenses for the sale of all alcoholic beverages (House, No. 4688), reported by the committee on

Palmer,— liquor licenses.

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 Mr. Chan of Quincy; and it was passed to be engrossed. Sent to the Senate for concurrence.

#### *Recesses.*

At twenty-four minutes after eleven o'clock A.M., on motion of Mr. McKenna of Sutton (Mr. Garballey of Arlington being in the Chair), the House recessed until one o'clock P.M.; and at eighteen minutes before two o'clock, the House was called to order with Mr. Garballey in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Jones of North Reading, subject to the call of the Chair; and at twenty-four minutes before three o'clock the House was called to order with Ms. Hogan of Stow in the Chair.

#### *Reports of Committees.*

Prior to the noon recess (Mr. Garballey of Arlington being in the Chair),— Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Senate Bill upgrading the grid and protecting ratepayers (Senate, No. 2838), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4876; and striking out the title and inserting in place thereof the following title: "An Act accelerating a responsible, innovative and equitable clean energy transition.". Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Clean energy.

Mr. Honan of Boston, 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 amendments recommended by the committee on Ways and Means then were adopted; and the bill, as amended, was ordered to a third reading.

Subsequently, the noon recess having terminated (Ms. Hogan of Stow being in the Chair), under suspension of the rules, on motion of Mr. Roy of Franklin, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, Miss Gregoire of Marlborough moved to amend it in section 66, in line 1751, by inserting after the word "storage" the words "; provided, that existing energy storage systems shall be eligible to participate in any procurement issued under this section"; and the amendment was adopted.

Mr. Cahill of Lynn then moved to amend the bill by inserting after section 79 the following section:

"SECTION 79A. (a) Notwithstanding 225 CMR 15.07(2) or any general or special law, rule or regulation to the contrary, the RPS Class II Waste Energy Minimum Standard in the year 2026 and all subsequent compliance years shall be equal to 3.7 per cent of total annual electrical energy sales.

(b) Notwithstanding 225 CMR 15.08(4)(a)(2) or any general or special law, rule or regulation to the contrary, the alternative compliance payment rate for the RPS Class II Waste Energy Minimum Standard in the year 2026 and all subsequent compliance years shall be equal to the alternative compliance payment rate for the

RPS Class II Renewable Energy Minimum Standard set pursuant to 225 CMR 15.08(3)(a)(2).”.

The amendment was adopted.

Mr. Ryan of Boston then moved to amend the bill by striking out section 65 and inserting in place therefore the following section:

“SECTION 65. Said first paragraph of said section 83B of said chapter 169, as so amended, is hereby further amended by striking out the definition of ‘Mid-duration energy storage system’ and inserting in place thereof the following 2 definitions:—

‘Mid-duration energy storage system’, an energy storage system, as defined in section 1 of chapter 164 of the General Laws, that is capable of dispatching energy at its full rated capacity for a period equal to or greater than 4 hours and up to 10 hours.

‘Multi-day energy storage,’ an energy storage system, as defined in section 1 of chapter 164 of the General Laws, that is capable of dispatching electricity at its full rated capacity for greater than 24 hours.”.

The amendment was adopted.

Ms. Domb of Amherst then moved to amend the bill in section 37, in line 659, by inserting after the word “designee” the words “; the commissioner of public health or a designee”; and the amendment was adopted.

Representative Ciccolo of Lexington and other members of the House then moved to amend the bill in section 37, in lines 659, by striking out the figure: “3” and inserting in place thereof the figure: “4”; and in line 660, by inserting after the word “governor” the following: “, 1 of whom shall be a representative of the Massachusetts Association of Regional Planning Agencies”. The amendments were adopted.

Representative Decker of Cambridge and other members of the House then moved to amend the bill by striking out section 2 and inserting in place thereof the following two sections:

“SECTION 1A. Section 3 of chapter 23J of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the words ‘clean energy industry’, in line 141, the following words:— , including, but not limited to, collaboration with state and federally licensed labor apprenticeship and pre-apprenticeship programs providing training in the commonwealth;

SECTION 2. Section 9A of said chapter 23J, as so appearing, is hereby amended by inserting after the word ‘support’, in line 78, the following words:— and to issue and maintain technical guidance on the center’s website.

And further amend the bill in section 14 by adding the following 4 subsections:—

(j) A request for proposal or solicitation under this section shall include the following certification and disclosure requirements:—

(i) documentation reflecting the applicant’s demonstrated commitment to workforce or economic development within the commonwealth;

(ii) a statement of intent concerning efforts that the applicant and its contractors and subcontractors will make to promote workforce or economic development through the project;

(iii) documentation reflecting the applicant’s demonstrated commitment to expand workforce diversity, equity and inclusion in its past projects within the commonwealth;

(iv) documentation as to whether the applicant and its contractors and subcontractors participate in a state or federally certified apprenticeship program and the number of apprentices the apprenticeship program has trained to completion for each of the last 5 years;

(v) a statement of intent concerning how or if the applicant and its contractors and subcontractors intend to utilize apprentices on the project, including whether each of its contractors and subcontractors on the project participates in a state or federally certified apprenticeship program;

(vi) documentation relative to the applicant and its contractors and subcontractors regarding their history of compliance with chapters 149, 151, 151A, 151B and 152, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws;

(vii) documentation that the applicant and its contractors and subcontractors are currently, and will remain, in compliance with chapters 149, 151, 151A, 151B, and 152, 29 U.S.C. section 201, et seq. and applicable federal anti-discrimination laws for the duration of the project;

(viii) detailed plans for assuring labor harmony during all phases of the construction, reconstruction, renovation, development, and operation of the project, including documentation of the applicant's history with picketing, work stoppages, boycotts or other economic actions against the applicant and a description or plan of how the applicant intends to prevent or address such actions;

(ix) documentation relative to whether the applicant and its contractors have been found in violation of State or Federal safety regulations in the previous 10 years.

(k) The department may require a wage bond or other comparable form of insurance in an amount to be set by the department to ensure compliance with law, certifications or department obligations.

(l) A proposal or solicitation issued by the department shall notify applicants that applicants shall be disqualified from the project if the applicant has been debarred by the federal government or commonwealth for the entire term of the debarment.

(m) An applicant shall, in a timely manner, provide documentation and certifications as required by law or otherwise directed by the department. Incomplete or inaccurate information may be grounds for disqualification, dismissal or other action deemed appropriate by the department.

(n) The department shall give added weight to applicants that demonstrate compliance with the provisions of sections 26 to 27F, inclusive, of chapter 149, and have a history of participation with state or federally certified apprenticeship programs.”; and

In section 74, in line 1989, by inserting after the word “organizations” the words “, labor organizations representing workers in the offshore wind industry”.

After remarks the amendments were adopted.

Representative Xiarhos of Barnstable and other members of the House then moved to amend the bill by adding the following section:

“SECTION 95. (a) There is hereby established a special commission to study the potential financial, environmental, public health, and public safety risks to cities and towns and their residents from on-shore electric infrastructure associated with off-shore wind energy generation projects as they land in and traverse communities of the Commonwealth. Said special commission shall include within the scope of its study, without limitation: (1) potential risks from the development, operation, and catastrophic failure of underground and above-ground electric transmission lines, electric substations, and associated on-shore electric infrastructure; (2) potential risks of electromagnetic emissions, smoke and fire as the result of catastrophic events, and the release of oil, hazardous materials, and any other pollutants into the soil, water, and air; (3) the need for legislation requiring the Commonwealth to indemnify cities and towns for their costs of responding to, and cleaning up after, a catastrophic event relating to on-shore infrastructure for off-shore wind power, including but not limited

to fire and the release of oil and hazardous materials; (4) the implementation of risk assessments and routine audits of electric substations supporting off-shore wind-generated power to ensure compliance with safety standards, including potential cybersecurity risks; (5) the readiness of the Commonwealth to provide coordination across relevant state agencies in the event of a catastrophic event relating to infrastructure to support off-shore wind energy; and (6) the need for facility-specific emergency response plans concerning on-shore electric substations and similar facilities supporting power generated by off-shore wind energy.

(b) Said special commission shall consist of the following 15 members: the chairperson of the Energy Facilities Siting Board or said chairperson's designee; the chairperson of the Department of Public Utilities or said chairperson's designee; the commissioner of the Department of Environmental Protection or said commissioner's designee; the commissioner of the Department of Energy Resources or said commissioner's designee; the commissioner of the Department of Public Health or such commissioner's designee; the Executive Director of the Massachusetts Municipal Association; three members to be appointed by the Governor (one of whom shall have professional experience with the development of off-shore wind energy generation projects; one of whom shall be a member of the city council, select board or town council of a city or town that has entered into a host community agreement with an off-shore wind energy generation project; and one of whom shall have substantial professional experience in public safety matters); two members appointed by the President of the Senate; one member appointed by the Minority Leader of the Massachusetts Senate; two members appointed by the Speaker of the House of Representatives; and, one member appointed by the Minority Leader of the House of Representatives. All members of said commission shall be persons with substantial knowledge or experience concerning the development of off-shore wind energy projects, municipal government, environmental contamination, public safety, public health, and/or the potential for financial, environmental, public health, and public safety risks associated with large-scale electric infrastructure. At its first meeting and not less than once annually thereafter, the members of said Commission shall elect from among its members a chair, vice chair, secretary, and such other officers as the members of the Commission deem necessary.

(c) The members of said Commission shall receive no compensation for their services, but shall be reimbursed for necessary traveling expenses incurred in the performance of their duties.

(d) Said commission shall hold meetings and public hearings at such times and places as it may designate, provided that such meetings and public hearings shall be preferred to take place, to the extent practicable, within cities and towns that are host communities for on-shore infrastructure to support off-shore wind energy projects.

(e) A majority of the members of said Commission shall constitute a quorum for the transaction of business of the Commission.

(f) The Commission shall present a preliminary report of its findings, together with recommendations for legislative and regulatory changes, if any, not more than six months after the effective date of this Act, and shall present regular reports of its findings and recommendations at least once every six months thereafter. Such reports shall be made to the Governor, to the Clerks of the Senate and House of Representatives, and to the House and Senate Chairs of the Joint Committee on Economic Development and Emerging Technologies.”.

The amendment was rejected.



Representatives Moran of Lawrence, Hawkins of Attleboro and Driscoll of Milton then moved to amend the bill by striking out section 55 and inserting in place thereof the following section:

“SECTION 55. Said chapter 164 is hereby further amended by inserting after section 116B, as so appearing, the following section:—

Section 116C. (a) Distribution companies deploying advanced metering infrastructure in their territories shall jointly establish a centralized data repository to allow customers and third parties, including competitive suppliers, access to advanced metering data, including billing, interval usage and load data, in near-real time for all customer classes. The centralized data repository shall be developed in a cost-effective manner as approved by the department.

(b) A supplier or other third party shall be entitled to access detailed advanced metering infrastructure customer data from the centralized data repository, subject to appropriate customer approval and protections. Advanced metering infrastructure data may include, but shall not be limited to, customer billing period usage data, peak demand, supplier information and relevant account information.

(c) Electric customers may opt out of inclusion in the implementation of advanced metering infrastructure with notice to the distribution company. Upon receiving such notice, the distribution company shall remove the customer from the implementation plan, notify the department of the customer’s decision to opt out of such implementation plan in a manner determined by the department and charge such a customer any reasonable and necessary fees for delivering non-advanced metering service.

(d) Distribution companies shall implement accelerated switching permitting a residential or small commercial electric customer to change suppliers within 3 business days. Customers moving within a distribution company’s territory shall be permitted to transfer their supplier directly to their new service location without being required to switch to an interim rate provided by the distribution company or other supplier. Customers establishing electric service shall be permitted to take service from their supplier on the first day of service. Customers shall not be required to take basic service from a distribution company prior to selecting and switching to a supplier. Notwithstanding the requirements of this subsection, a distribution company shall not implement accelerated switching until the advanced metering infrastructure, approved by the department in calendar year 2022 as part of a company’s grid modernization plan, is fully deployed.

(e) Distribution companies shall be entitled to recovery of prudent and necessary expenses for the implementation of advanced metering data repositories. The department may implement penalties for failure of distribution companies to meet implementation goals.”.

The amendment was adopted.

Representative Barrows of Mansfield and other members of the House then moved to amend the bill by adding the following three sections:

“SECTION 95. Section 4A of chapter 40 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking the first sentence and inserting in place thereof the following sentence:—

The chief executive officer of a city or town, or a board, committee or officer authorized by law to execute a contract in the name of a governmental unit may, on behalf of the unit, enter into an agreement with another governmental unit to perform jointly or for that unit's services, activities or undertakings which any of the contracting units is authorized by law to perform, if the agreement is authorized by the parties thereto, in a city by the city council with the approval of the mayor, in a

town by the board of selectmen, in a district by the prudential committee and in a municipal light plant by the board or commission; provided, however, that when the agreement involves the expenditure of funds for establishing supplementary education centers and innovative educational programs, the agreement and its termination shall be authorized by the school committee.

SECTION 96. Said section 4A of said chapter 40, as so appearing, is hereby further amended by striking the fifth sentence and inserting in place thereof the following sentence:—

For the purposes of this section, a ‘governmental unit’ shall mean a city, town or a regional school district, a district as defined in section 1A, a regional planning commission, however constituted, a regional transit authority established under chapter 161B, a water and sewer commission established under chapter 40N or by special law, a county, a state agency as defined in section 1 of chapter 6A, or a municipal light plant established under chapter 164 or by special law.

SECTION 97. Section 47B of Chapter 164 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding at the end thereof the following paragraph:

Any municipality acting by and through its municipal light board may provide services and assistance to any municipal or state utility, tribal utility as defined in 25 CFR § 169.2, or any other publicly-owned or operated utility, whether located inside or outside of the Commonwealth, and governmental units as defined in section 4A of chapter 40, to construct, install, alter, operate, maintain or repair utility poles and conduit, wires, cables, and equipment, and streetlights and traffic signals to the same extent such municipality acting by and through its municipal light board may provide such services within its service territory. Any such municipality acting by and through its municipal light board may sell, rent, or lease merchandise, equipment, fixtures, utensils and chattels of any description related to the provision of such services. Any employee providing such services entered into between the municipality acting by and through its municipal light board and such other public entity shall be subject to the provisions of chapter thirty-two, sections one to twenty-eight, inclusive, and shall have the same rights and privileges thereunder, as if performing the same duties within the scope of his employment including voluntary assignments.”.

The amendment was rejected.

Representatives Finn of West Springfield, Driscoll of Milton and Sabadosa of Northampton then moved to amend the bill in section 57, in line 1319, by striking out the figure: “3” and inserting in place thereof the figure: “4”; and by adding the following three paragraphs:

“Section 152. (a) For the purposes of this section, ‘net crediting’, shall mean a payment mechanism that requires a distribution company to, at the request of a host project or eligible solar tariff generation unit system: (i) include the monthly subscription charge of a host project or eligible solar tariff generation unit system on the monthly bills rendered by the distribution company for electric service and supply to subscribers; and (ii) remit payment for those charges to the host project or eligible solar tariff generation unit system, irrespective of whether applicable subscribers have paid their electric bill.

(b) A distribution company may require a reasonable fee for a host project or eligible solar tariff generation unit system that uses net crediting. The fee shall not exceed 1 per cent of the bill credit value remitted to the system unless the department determines a higher fee is just and reasonable based on substantial evidence presented by the distribution company. The fee for net crediting assessed to a host project or solar tariff generation unit system shall not exceed the fee in effect at the time the

host project or eligible solar tariff generation unit system elected for an associated solar tariff generation unit system to participate in net crediting.

(c) The department, in consultation with the department of energy resources, shall amend any applicable rules, regulations and tariffs to permit the transfer of credits from an alternative on-bill credit generation unit, as defined by regulations of the department of energy resources, to customers of any distribution company located in the commonwealth.”.

The amendments were adopted.

Representatives Blais of Deerfield and Saunders of Belchertown then moved to amend the bill in section 57, in line 1343, by inserting after the word “bodies” the words: “, including regional planning agencies”; and the amendment was adopted.

Representative Meschino of Hull and other members of the House then moved to amend the bill by inserting after section 19 the following section:

“SECTION 19A. Chapter 30B of the General Laws is hereby amended by striking out section 23, as so appearing, and inserting in place thereof the following section:—

Section 23. Notwithstanding section 39M of chapter 30 or any other general or special law to the contrary, a governmental body may, pursuant to this chapter, procure electric school buses and the installation of electric vehicle supply equipment, as defined in section 2 of chapter 25B, for said school buses. Electric school buses and the installation of related electric vehicle supply equipment may be procured separately or in 1 procurement. For the purposes of this section, electric school buses shall be considered supplies and electric vehicle supply equipment and its installation shall be considered services; provided, however, that if electric school buses and electric vehicle supply equipment and its installation are procured in a single procurement both shall be considered supplies.

A contract under this section shall only be awarded to a bidder who shall: (i) possess the skill, ability and integrity necessary for the faithful performance of the work; (ii) certify that it is able to furnish labor that can work in harmony with all other elements of labor employed or to be employed in the work; (iii) certify that all employees to be employed at the worksite will have successfully completed a course in construction safety and health approved by the United States

Occupational Safety and Health Administration that is not less than 10 hours in duration at the time the employee begins work and furnish documentation of successful completion of said course with the first certified payroll report for each employee; and (iv) obtain within 10 days of the notification of contract award the security by bond required under section 29 of chapter 149; provided, however, that for the purposes of this section, ‘security by bond’ shall mean the bond of a surety company qualified to do business under the laws of the commonwealth and satisfactory to the awarding authority; and provided further, that if there is more than 1 surety company, the surety companies shall be jointly and severally liable.”.

The amendment was adopted.

Representative Cataldo of Concord and other members of the House then moved to amend the bill by inserting after section 65 the following two sections:

“SECTION 65A. The first paragraph of section 2 of chapter 465 of the acts of 1956 is hereby amended by inserting after the first sentence, the following sentence:— In discharging its responsibilities and exercising its powers under this chapter, the Authority shall, with respect to itself and the entities with which it contracts or does business, and in a manner consistent with any act of congress relating to aeronautics or any regulations promulgated or standards established pursuant thereto, promote commerce, economic prosperity, safety and security, as

well as environmental resiliency and reductions in greenhouse gas emissions, and incorporating environmental justice principles, as defined in section 62 of chapter 30 of the General Laws.

SECTION 65B. Section 3 of said chapter 465, as most recently amended by section 2 of chapter 660 of the acts of 1977, is hereby further amended by striking subsection (g) and inserting in place thereof the following subsection:—

(g) To extend, enlarge, improve, rehabilitate, lease as lessor or lessee, maintain, repair, and operate the projects under its control, and to establish rules and regulations for the use of any such project; provided, that the Authority shall, with respect to itself and the entities with which it contracts or does business, and in a manner consistent with any act of congress relating to aeronautics or to any regulations promulgated or standards established pursuant thereto, undertake such activities, and promulgate such rules and regulations, in such a manner as to promote commerce, economic prosperity, safety and security, as well as environmental resiliency and reductions in greenhouse gas emissions, and incorporating environmental justice principles, as defined in section 62 of chapter 30 of the General Laws; provided, further, that no such rules or regulations shall conflict with the rules and regulations of any state or federal regulatory body having jurisdiction over the operation of aircraft; and provided, further, that in the enforcement of such rules and regulations the police appointed or employed by the Authority under section twenty-three shall have within the boundaries of all projects all the powers of police officers and constables of the towns of the commonwealth except the power of serving and executing civil process;”.

The amendment was adopted.

Representative Fernandes of Falmouth then moved to amend the bill by inserting after section 53 the following section:

“SECTION 53A. Subsection (c) of section 92B of said chapter 164, as so appearing, is hereby amended by striking clauses (ii) and (iii) and inserting in place thereof the following 3 clauses:—

(i) consider and include a summary of all proposed and related investments, alternatives to these investments and alternative approaches to financing these investments that have been reviewed, are under consideration or have been approved by the department previously;

(ii) solicit input, such as planning scenarios and modeling, from the Grid Modernization Advisory Council established in section 92C, respond to information and document requests from said council and conduct technical conferences and a minimum of 2 stakeholder meetings to inform the public, appropriate state and federal agencies and companies engaged in the development and installation of distributed generation, energy storage, vehicle electrification systems and building electrification systems; and

(iv) prepare and file a climate vulnerability and resilience plan at least once every 5 years based on best available data, which shall include, at a minimum, the following:

(A) an evaluation of the climate science and projected sea level rise, extreme temperature, precipitation, humidity and storms, and other climate-related risks for the service territory;

(B) an evaluation and risk assessment of potential impacts of climate change on existing operation, planning, and physical assets;

(C) identification, prioritization, and cost-benefit analysis of adaptation options to increase asset and system-wide resilience over time;

(D) a community engagement plan with targeted engagement for environmental justice populations in the service territory; and

(E) an implementation timeline for making changes in line with the findings of the study such as modifying design and construction standards, modifying operations and planning processes, and relocating or upgrading existing infrastructure to ensure reliability and resilience of the grid.”.

After remarks the amendment was adopted.

Representatives Frost of Auburn, Orrall of Lakeville and Elliott of Lowell then moved to amend the bill by inserting after section 74 the following section:

“SECTION 74A. The executive office of energy and environmental affairs shall conduct a study on the feasibility of the electric vehicle only sales mandate which becomes effective in 2035. The study shall include, but not be limited to, an examination of a realistic timeline to implement the mandate, the infrastructure needed to implement the mandate such as ample charging stations throughout the state, and where and how enough electricity will be needed and generated into the power grid to sustain such a mandate by 2035. The study shall also seek input on the impacts of the mandate from relevant industries, including but not limited to, the automobile industry, auto sales industry, auto repair industry, transportation industry, travel and tourism, shipping and construction industries. The executive office shall collect information on the feasibility of installing and providing access to charging stations in rural, suburban and urban areas. The executive office shall also collect and study information on the costs associated with the repair and general maintenance of electric vehicles compared to gas fueled vehicles.

The executive office shall report its findings to the joint committee on telecommunications, utilities and energy, the chairs of the house and senate committees on global warming and climate change, and the chairs of the house and senate committees on ways and means by July 31, 2025.’.

The amendment was adopted.

Mr. Pignatelli of Lenox then moved to amend the bill by adding the following section:

“SECTION 95. Section 11F 1/2 of Chapter 25A of the general laws, as so appearing in the 2022 official edition, is hereby amended by adding the following to the end of Section 11F 1/2

2 (e): The department shall provide that for facilities generating useful thermal energy by using eligible biomass technologies that also install an electrostatic precipitator or other emissions control device, an alternative energy credit shall be earned for 1,706,000 British thermal units of net useful thermal energy so as to improve air quality.”.

The amendment was rejected.

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. Roy of Franklin; and on the roll call (Mr. Donato of Medford being in the Chair) 131 members voted in the affirmative and 25 in the negative.

**[See [Yea and Nay No. 134](#) in Supplement.]**

Therefore the bill (Senate, No. 2838, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendments (for text of House amendments, see House document numbered 4884, published as amended).

*Motion to Discharge a Certain Matter in the Orders of the Day.*

The Senate Bill authorizing the town of Milton to use certain land acquired for conservation purposes for school purposes (Senate, No. 2840), reported by the

Bill passed to  
be engrossed,—  
yea and nay  
No. 134.

Milton,—  
land.

committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day and read a third time forthwith, under suspension of Rule 47, on motion of Ms. Fiola of Fall River.

Pending the question on passing the bill to be engrossed, in concurrence, Mr. Walsh of Peabody moved to amend it by striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4883.

The amendment was adopted; and the bill (Senate, No. 2840, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

*Engrossed Bill.*

Mr. Cusack of Braintree being in the Chair,—

The engrossed Bill providing for the retirement of William R. Cushing Jr., a police officer in the city known as the town of Braintree (see House, No. 4214) (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; it was signed by the acting Speaker and sent to the Senate.

Bills  
enacted.

*Recess.*

At twenty-seven minutes before eight o'clock P.M. (Wednesday, July 17), on motion of Mr. Jones of North Reading (Mr. Cusack of Braintree being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Donato in the Chair.

Recess.