

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, OCTOBER 24, 2019.

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JOURNAL OF THE SENATE

Thursday, October 24, 2019.

Met at twenty-one minutes past one o'clock P.M.

The President, members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of Allegiance.

Reports.

The following reports were severally received and placed on file, to wit:

Report of the Department of Unemployment Assistance (pursuant to Section 14F of Chapter 151A of the General Laws) submitting the October 2019 Unemployment Insurance Trust Fund report; and

DUA,-- UI trust fund. SD2607

Report of the Department of Housing and Community Development (pursuant to Section 8A of Chapter 6A of the General Laws) submitting the 2015 annual report of its activities of the Massachusetts Commission on Indian Affairs.

DHCD,-- Indian affairs. SD2606

Petition.

Mr. Cyr presented a petition (accompanied by bill) (subject to Joint Rule 12) of Julian Cyr and Denise C. Garlick for legislation relative to establishing and implementing a Food and Health Pilot Program;

Food and Health Pilot Program. SD2605

Referred, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Brady, for the committee on Public Service, on petition, a Bill relative to part-time higher education faculty eligibility in the state retirement system (Senate, No. 1471);

State retirement,-- higher education.

By the same Senator, for the same committee, on petition, a Bill relative to the employment status and retirement benefits of a former employee of the Middlesex Sheriff's Office, Donnalyn Sullivan (Senate, No. 1510); and

Donnalyn Sullivan,-- retirement.

By the same Senator, for the same committee, on Senate, No. 1531 and House, No. 2248, a Bill relative to disability pensions for violent crimes (Senate, No. 1531);

Disability pensions,-- violent crimes.

Severally read and, under Senate Rule 27, referred to the committee on Ways and Means.

By Mr. Feeney, for the committee on Consumer Protection and Professional Licensure, on petition (accompanied by bill, Senate, No. 2188), a Bill authorizing the city of Easthampton to grant 8 additional licenses for the sale of all alcoholic beverages to be drunk on the premises, 4 additional licenses for the sale of wine and malt beverages to be drunk on the premise and 1 additional license for the sale of wine and malt beverages not to be drunk on the premises (Senate, No. 2381) [Local approval received on Senate, No. 2188],-- was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Easthampton,-- liquor licenses.

PAPERS FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4138) of RoseLee Vincent and Joseph A. Boncore (with the approval of the mayor and city council) relative to duck hunting in the city of Revere,-- **was referred in concurrence, under suspension of Joint Rule 12, to the committee on the Judiciary.**

Revere,-- duck hunting.

A Bill changing the name of the board of selectmen in the town of Lexington to the select board (House, No. 4062,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Lexington,-- board of selectmen.

Resolutions.

The following resolutions (having been filed with the Clerk) were severally considered forthwith and adopted, as follows:-

Resolutions (filed by Ms. Lovely) “congratulating Kevin J. Reynolds on his elevation to the rank of Eagle Scout”;

Kevin J. Reynolds.

Resolutions (filed by Mr. Pacheco) “congratulating Mark Swindle, Jr. on his elevation to the rank of Eagle Scout”; and

Mark Swindle, Jr.

Resolutions (filed by Messrs. Timilty and Cyr) “commending Michael Goodless for his 42 years of dedicated service to the Milton Public Schools.”

Michael Goodless.

Report of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Daniel Kiley, an employee of the Massachusetts Department of Mental Health (Senate, No. 2373);

Daniel Kiley,-- sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Ms. Comerford, and the bill was read a second time and ordered to a third reading.

Matters Taken Out of the Notice Section.

There being no objection, the following matter was taken out of the Orders of the Notice Section and considered as follows:

The Senate Bill stablishing a sick leave bank for Wilfredo Bosque-Rosa, an employee of the Department of Correction (Senate, No. 2356),-- was read a third time.

Wilfredo Bosque-Rosa,-- sick leave.

Pending the question on passing the bill to be engrossed, Mr. Tran moved to amend the bill by inserting before the enacting clause the following emergency preamble:-

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to establish forthwith a sick leave bank for a certain employee of the department of correction, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and by striking out, in line 2, the words “children and families” and inserting in place thereof the following word:- “correction”.

The amendment was adopted.

The bill (Senate, No. 2356, amended) was then passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Petitions were severally referred, in concurrence, as follows, to wit:

Petition (accompanied by bill, House, No. 4147) of Carole A. Fiola relative to licensing requirements for marijuana establishments and medical marijuana treatment

Medical marijuana,-- treatment centers.

centers;

Under suspension of Joint Rule 12, to the committee on Cannabis Policy.

Petition (accompanied by bill, House, No. 4146) of Daniel Cahill for legislation to further regulate the prevention of cruelty to farm animals;

Farm animals,--
cruelty prevention.

Under suspension of Joint Rule 12, to the committee on Environment, Natural Resources and Agriculture.

Petition (accompanied by bill, House, No. 4151) of John H. Rogers, Michael F. Rush and Paul McMurtry for legislation to establish a sick leave bank for Patricia Foley, an employee of the Massachusetts Department of Transportation; and

Patricia Foley,--
sick leave.

Petition (accompanied by bill, House, No. 4150) of Linda Dean Campbell for legislation to establish a sick leave bank for Daniel Kiley, an employee of the Department of Mental Health;

Daniel Kiley,--
sick leave.

Severally, under suspension of Joint Rule 12, to the committee on Public Service.

Petition (accompanied by bill, House, No. 4149) of David Biele and others for legislation to establish a tax credit program for live theater;

Live theater,--
tax credit.

Under suspension of Joint Rule 12, to the committee on Revenue.

Petition (accompanied by bill, House, No. 4148) of John Barrett, III and others relative to municipal access to utility poles located in municipal rights-of-way;

Utility poles,--
access.

Under suspension of Joint Rule 12, to the committee on Telecommunications, Utilities and Energy.

The House Bill establishing a sick leave bank for Erica Moore, an employee of the Department of Developmental Services (House, No. 4111,-- on petition),-- was read.

Erica Moore,--
sick leave.

There being no objection, the rules were suspended, on motion of Mr. Boncore, and the bill was read a second time and ordered to a third reading.

Engrossed Bills.

The following engrossed bills (the first two of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be enacted and were signed by the President and laid before the Governor for his approbation, to wit:

Authorizing the city of New Bedford to enter into a long-term lease for the operation of a performing arts center (see Senate, No. 2279, amended);

Bills laid before the
Governor.

Authorizing the city of Lynn to issue an additional license for the sale of wines and malt beverages not to be drunk on the premises (see Senate, No. 2354, amended);

Providing for 5 members of the cemetery commission of the town of Westford (see House, No. 3694); and

Establishing a sick leave bank for Kaila McGonagle, an employee of the executive office of health and human services (see House, No. 4064).

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill to authorize the conveyance by lease or easement and change of use of conservation land in the town of Groton (see Senate, No. 2303) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-seven minutes past one o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 113]:**

Groton,--
conservation land.

YEAS.

Barrett, Michael J.
 Boncore, Joseph A.
 Brady, Michael D.
 Brownsberger, William N.
 Chandler, Harriette L.
 Chang-Diaz, Sonia
 Collins, Nick
 Comerford, Joanne M.
 Creem, Cynthia Stone
 Crighton, Brendan P.
 Cyr, Julian
 deMacedo, Viriato M.
 DiDomenico, Sal N.
 DiZoglio, Diana
 Eldridge, James B.
 Fattman, Ryan C.
 Feeney, Paul R.
 Finegold, Barry R.
 Friedman, Cindy F.
 Gobi, Anne M.

Hinds, Adam G.
 Humason, Donald F., Jr.
 Jehlen, Patricia D.
 Keenan, John F.
 Kennedy, Edward J.
 Lesser, Eric P.
 Lewis, Jason M.
 Lovely, Joan B.
 Montigny, Mark C.
 Moore, Michael O.
 O'Connor, Patrick M.
 Pacheco, Marc R.
 Rausch, Rebecca L.
 Rodrigues, Michael J.
 Rush, Michael F.
 Tarr, Bruce E.
 Timilty, Walter F.
 Tran, Dean A.
 Welch, James T. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-five minutes before two o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the President and laid before the Governor for his approbation.

Orders of The Day.

The Orders of the Day were considered as follows:

Bills

Relative to the granting of alcoholic beverages licenses in the town of Boxford (Senate, No. 2366);

Second reading bills.

Authorizing the town of Burlington to grant additional licenses for the sale of all alcoholic beverages and wines and malt beverages to be drunk on the premises (House, No. 3676);

Amending the charter of the city of Attleboro by making all gender references therein gender neutral (House, No. 3678);

Relative to water connections in the town of Eastham (House, No. 3908);

To authorize the conveyance of a fee interest in land in the town of Marion (House, No. 4038);

Exempting the labor service positions of the department of public works in the city of Medford from the civil service laws (House, No. 4082); and

Authorizing the town of Fairhaven to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises (House, No. 4086);

Were severally read a second time and ordered to a third reading.

The Senate Bill relative to special police officers in the town of West Bridgewater (Senate, No. 2361),-- was read a second time.

West Bridgewater,--
special police
officers.

Pending the question on ordering the bill to a third reading, Mr. Timilty moved that the bill be amended by inserting after the word "suspension", in line 14, the following

words:- “by the police chief at any time. Within 5 days of any removal or suspension”.

The amendment was adopted.

The bill (Senate, No. 2361, amended), was then ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act authorizing the appointment of special police officers in the town of West Bridgewater”.

Sent to the House for concurrence.

The Senate Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2378),-- was read a second time.

Supplemental
appropriations bill.

After remarks, and pending the question on ordering the bill to a third reading, Mr. deMacedo moved that the bill be amended by inserting after section 21 the following section:-

1

“SECTION 21A. Item 7007-0300 of section 2 of said chapter 154 is hereby amended by inserting after the word ‘Falmouth,’ the second time it appears, the following words:- and such funds shall be made available until June 30, 2020.”

After remarks, the amendment was adopted.

Mr. Boncore moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “provided further, that not less than \$200,000 be expended for the East Boston Social Centers, Inc. for the build out of two infant classrooms at the Barnes School”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

5

After remarks, the amendment was adopted.

Messrs. Collins and Eldridge moved that the bill be amended in section 2A, in line 188, in item 7008-1117 by adding at the end thereof the following: “provided further that not less than \$200,000 shall be expended to the NAACP Boston Branch for the preparation and execution of the 111th National NAACP Conference in Massachusetts”; and by striking the figures “\$100,000” and inserting in place thereof the following figures: “\$300,000”.

7

After remarks, the amendment was adopted.

Mr. Moore moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “: provided further, that not less than \$200,000 shall be expended for ADA accessibility upgrades at the town hall in the town of Leicester”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

9

After remarks, the amendment was adopted.

Mr. deMacedo, Ms. DiZoglio, Messrs. Eldridge and Tarr, Ms. Gobi and Mr. Tran moved that the bill be amended by inserting at the end thereof the following section:-

10

“SECTION XX. Item 7008-1116 of section 2 of chapter 41 of the acts of 2019 is hereby amended by inserting the following:- ‘provided further, that not less than \$250,000 shall be expended for the 11 Massachusetts visitor information centers;’.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at six minutes before three o'clock P.M., on motion of Mr. deMacedo, as follows, to wit (yeas 9 – nays 30) **[Yeas and Nays No. 114]:**

YEAS.

deMacedo, Viriato M.
DiZoglio, Diana
Fattman, Ryan C.

O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.

Humason, Donald F., Jr.
Kennedy, Edward J.

Tran, Dean A. – 9.

NAYS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.

Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Welch, James T. – 30.

The yeas and nays having been completed at four minutes before three o'clock P.M., the amendment was *rejected*.

Mr. Tran moved that the bill be amended in section 2A, in line 7008-1117, by inserting at the end the following:- “; provided, that not less than \$200,000 shall be expended for the costs associated with building a new police station in the city of Leominster”.

11

The amendment was adopted.

Mr. Tran and Ms. Gobi moved that the bill be amended in section 2 by inserting after item 7504-0100, in line 65, the following item:-

12

Mount Wachusett Community College

“7509-0100.....\$100,000”.

The amendment was *rejected*.

Mr. Brownsberger in the Chair, Ms. Chandler moved that the bill be amended by inserting the following section:-

14

“SECTION XX. Section 76 of chapter 154 of the Acts of 2018 is hereby amended by striking out the words ‘June 30, 2019’ and inserting in place thereof the following words:- ‘April 1, 2020’.”

The amendment was adopted.

Messrs. Tran and Eldridge and Ms. Chang-Diaz moved that the bill be amended in section 2 by inserting after item 7035-0006, in line 58, the following item:-

15

“7035-0008.....\$2,000,000”.

The amendment was *rejected*.

Ms. Chandler moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “provided further, that not less than \$200,000 shall be expended to assist the Worcester Department of Public Work’s completion of the construction of the Francis R. Carroll Plaza”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

16

After remarks, the amendment was adopted.

Mr. deMacedo moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$92,400 shall be expended for Pembroke Police Department for the purchase of ruggedized tablets to assist in data collection, documentation, and evidence gathering”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$192,400”.

17

After remarks, the amendment was *rejected*.

Mr. Lewis moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be allocated to the city of Malden for safety improvements on Fellsway East at Highland Avenue in the city of Malden”. 19

After remarks, the amendment was adopted.

Mr. deMacedo moved that the bill be amended by inserting the following section:-- 20

“SECTION XX. Item 1410-0010 of section 2 of chapter 41 of the Acts of 2019 is amended by adding the following:- ‘; and provided further, that not less than \$150,000 be allocated for Heidrea for Heroes’; and in said item by striking out the figures ‘4,297,840’ and inserting in place thereof the figures ‘4,447,840’.”.

The amendment was *rejected*.

Mr. Tran moved that the bill be amended in section 2A by inserting before item 2250-2002, the following item:- 21

“2200-7022 For the relocation and replacement of the wastewater leach field at Nashoba regional high school in the town of Bolton.....\$300,000”.

The amendment was *rejected*.

Messrs. deMacedo, Tarr and Montigny moved that the bill be amended by adding the following section:- 22

“SECTION XX. There shall be within the Commissioner’s office of the Department of Fish and Game an office of Renewable Energy Fishery Impacts, which shall be under the supervision and control of the Commissioner. The office of Renewable Energy Fishery Impacts shall: (i) conduct and foster research concerning the impacts of offshore wind energy infrastructure on marine fisheries including effects of such installations and connections on the health and behavior of marine mammals; (ii) accept and review commentary from representatives of impacted fishing fleets and renewable energy operators or providers; and (iii) educate and inform citizens on matters related to offshore wind energy and associated impacts on marine life. The office of Renewable Energy Fishery Impacts shall advise all other branches of state and local government concerning the health and behavior of fisheries relative to the operation and management of offshore wind installations. The office of Renewable Energy Fishery Impacts shall maintain a liaison with federal and state agencies and other academic institutions.”

The amendment was *rejected*.

Mr. Tran moved that the bill be amended in section 2E, in line 450, by striking out the figure “\$60,000,000” and inserting in place thereof the figure “\$100,000,000”. 23

The amendment was *rejected*.

Mr. deMacedo moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$150,000 shall be expended to the Town of Falmouth for the planning and construction of the Shivericks Pond project”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”. 26

The amendment was *rejected*.

Mr. deMacedo moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for Plymouth 400, Inc. for coordination of the 400th anniversary commemoration”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”. 28

The amendment was adopted.

Mr. Timilty moved that the bill be amended in section 2A, in item 7008-1117, by 29

adding the following words:- “provided that not less than \$170,000 shall be expended for school security upgrades in the town of Stoughton; including but not limited to the purchase of new two-way radios and new security cameras”.

After remarks, the amendment was adopted.

Mr. Moore moved that the bill be amended by inserting the following section:-

32

“SECTION _____. Chapter 165 of the General Laws is hereby amended by inserting after section 28 the following section:-

Section 29. Local water and sewer district oversight Notwithstanding any general or special law to the contrary, the department shall have authority over any water or sewer district established as an independent body politic and corporate pursuant to a special law. The department shall approve fees, rates, rents, assessments, abatements and other charges established by a district; make all necessary inquiries; and ensure compliance by such districts with all state laws and regulations. Any water and sewer district shall immediately notify the department of any known financial liabilities or risks which are reasonably likely to result in the imminent insolvency of the water or sewer district, or otherwise negatively affect the district’s ability to fulfill its obligations. If a water or sewer district is insolvent and unable to pay its current obligations or pay obligations that will become due during the next fiscal year, the Commonwealth shall appoint a receiver with full authority to operate, assess the continued viability of the district, assume the financial responsibilities of the operations, and make all decisions regarding the water and sewer system. The department may establish from time to time such reasonable rules and regulations consistent with this chapter as may be necessary to carry out the administration thereof.”

The amendment was *rejected*.

Ms. Gobi moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “provided further, that not less than \$200,000 shall be expended for rehabilitation and improvements to the Whitney Pond dam in the town of Winchendon”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

35

After remarks, the amendment was adopted.

Ms. Comerford and Ms. Gobi moved that the bill be amended in section 2, by inserting after item 0321-1510 the following item:

36

“0340-0600.....\$100,000”.

After remarks, the amendment was adopted.

Mr. Moore moved that the bill be amended in section 2, by inserting after item 7003-0800 the following item:

37

“7009-6600 Early College.....\$1,739,500”.

The amendment was *rejected*.

Ms. DiZoglio moved that the bill be amended in section 2A, in line 7008-1117, by inserting after “7008-1117” the following: “For the Massachusetts Marketing Partnership, provided that not less than \$75,000 shall be expended for the construction of a visitor center at Salisbury Beach in the town of Salisbury”; and by striking out the figure “\$400,000” and inserting in place thereof the figure “\$475,000.”

38

The amendment was *rejected*.

Ms. Rausch, Ms. Chang-Diaz and Ms. Jehlen moved that the bill be amended in section 47, in lines 788-789, by striking out the words “Tuesday, September 1, 2020.” and inserting in place thereof the words “Wednesday, September 2, 2020.”; in section 48, in lines 791-792, by striking out the words “September 1, 2020” and inserting in place therefore the words “September 2, 2020”; in said section 48, in line 796, by striking out the words “5:00 P.M. on Thursday, September 3, 2020.” and inserting in place thereof the words “12:00 P.M. on Friday, September 4, 2020.”; in section 49, in line 799, by striking out the words “September 1, 2020” and inserting in place thereof the words “September 2,

34.

2020”; in section 50, in line 803, by striking out the words “September 1, 2020” and inserting in place thereof the words “September 2, 2020”; in section 51, in line 809, by striking out the words “September 1, 2020” and inserting in place thereof the words “September 2, 2020”; in section 52, in line 815, by striking out the words “September 1, 2020” and inserting in place thereof the words “September 2, 2020”; and in section 52, in line 819, by striking out the words “September 1, 2020” and inserting in place thereof the words “September 2, 2020”.

Pending the question on adoption of the amendment, Ms. Creem, Mr. Feeney, Ms. Rausch and Messrs. Lesser and Finegold moved that the amendment (Rausch et al) be amended by striking out the text and inserting in place thereof the following text:- moved that the bill be amended, in section 2A, in item 0521-0002, by striking out the words “primaries as required by section 53 of this act” and inserting in place thereof the following words:- “and state primaries as required by sections 53 and 57A”; in said section 2A, in said item 0521-0002, by striking out the figure “\$750,000” and inserting in place thereof the following figure:- “\$1,250,000”; and by inserting after section 57 the following section:-

34.1

“SECTION 57A. (a) Notwithstanding section 25B of chapter 54 of the General Laws or any general or special law to the contrary, there shall be early voting for the 2020 state primary, scheduled for September 1, 2020. The election officers and registrars of every city or town shall allow any qualified voter under section 1 of chapter 51 of the General Laws to cast a ballot for the 2020 state primary during the early voting period. The early voting period shall begin on Monday, August 24, 2020 and end on Friday, August 28, 2020. Early voting shall also apply to any city or town election held at the same time as the state primary.

(b) Any qualified voter wanting to early vote by mail may file with the voter’s local election official an application for an early voting ballot for the 2020 state primary. Any form of written communication evidencing a desire to have an early voting ballot be sent for use for voting at an election shall be given the same effect as an application made in the form prescribed by the state secretary. No application for an early voting ballot for the 2020 state primary shall be seasonably filed unless it is received in the office of the city or town clerk or registrars of voters before 12:00 PM on August 28, 2020. If the voter is registered as unenrolled or in a political designation, the applicant shall include the name of the party whose primary ballot the voter is requesting.

(c) Early voting for the 2020 state primary shall be conducted during the usual business hours of each city or town clerk. A city or town may provide for additional early voting hours beyond the hours required by this subsection during the early voting period.

(d) All early voting ballots voted by mail for the 2020 state primary shall be received by the city or town clerk before the hour fixed for closing the polls.

(e) Each city and town shall establish an early voting site for the 2020 state primary that shall include the election office for the city or town; provided, however, that if the city or town determines that the office is unavailable or unsuitable for early voting, the registrars of each such city or town shall identify and provide for an alternative centrally located, suitable and convenient public building within each such city or town as an early voting site. A city or town may also provide for additional early voting sites at the discretion of the registrar for that city or town. Each early voting site shall be accessible to persons with disabilities.

(f) The designation of an early voting site for the 2020 state primary shall be made not later than August 10, 2020. Not later than August 12, 2020, the registrars for each city or town shall post the location of the early voting sites as well as the applicable dates and hours. Notice shall be conspicuously posted in the office of the city clerk or on the principal official bulletin board of each city or town, on any other public building considered

necessary, on the city's or town's website, if any, and on the website of the state secretary.

(g) Not later than August 10, 2020, the state secretary shall deliver to each city or town, in the quantities that the state secretary determines are necessary: (1) official early voting ballots for the 2020 state primaries, similar to the official ballot to be used at the primaries; and (2) envelopes of sufficient size to contain the ballots specified in clause (1) bearing on their reverse the voter's affidavit in compliance with the requirements of subsection (i).

(h) An early voting ballot along with an envelope shall be provided to each qualified voter who participates in early voting for the 2020 state primary.

(i) A qualified voter casting a ballot at an early voting site shall complete an affidavit under the regulations promulgated pursuant to chapter 54 of the General Laws, which shall include a notice of penalties under section 26 of chapter 56 of the General Laws.

(j) Before the beginning of early voting for the 2020 state primary, the registrars for each city or town shall prepare a list for the early voting sites that contains the names and residences of all persons qualified to vote at each voting site, as the names and residences appear upon the annual register, and shall reasonably transmit the applicable list to the election officers at each early voting site designated by the registrars.

(k) The registrar or presiding official at the early voting site shall cause to be placed on the voting lists, opposite the name of a qualified voter who participates in early voting, the letters 'EV' designating an early voter.

(l) The registrars shall prepare lists of all voters casting ballots during the early voting period and update the voter list in a manner prescribed by the state secretary.

(m) Sections 37 and 38 of chapter 53 of the General Laws shall apply to unenrolled voters and voters enrolled in political designations. The registrar or presiding official at the early voting site shall cause the name of the party of the ballot being voted to be recorded on the voting list.

(n) The counting of early voting ballots including, but not limited to, informing election officers and any challengers present under section 85A of chapter 54 of the General Laws shall be set by 950 CMR 47.00 so far as applicable. All envelopes referred to in this section shall be retained with the ballots cast at the 2020 state primary and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(o) 950 CMR 47.00 shall apply to early voting at the 2020 state primary to the extent feasible, but the state secretary shall update the rules to accommodate the dates set forth herein.

(p) A city or town may opt to detail a sufficient number of police officers or constables for each early voting site for the 2020 state primary at the expense of the city or town to preserve order, protect the election officers and supervisors from any interference with their duties and aid in enforcing the laws relating to elections.

(q) No early voting ballot cast under this section shall be counted if the officer charged with the duty of counting the ballot is cognizant of the fact that the voter has died before the opening of the polls on the day of the 2020 state primary.””.

After remarks, the question on adoption of the further amendment (Creem et al) was determined by a call of the yeas and nays, at ten minutes before four o'clock P.M., on motion of Ms. Creem, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 115**]:

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.

Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.

UNCORRECTED PROOF.

Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – **39.**

NAYS – 0.

The yeas and nays having been completed at eight minutes before four o'clock P.M., the amendment was adopted.

The pending amendment (Rausch et al), as amended (Creem, et al) was then considered; and adopted.

Ms. Creem moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$200,000 shall be expended for Silent Spring Institute, Inc. for research on links between environmental chemicals and women and children’s health”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”

41

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at five minutes before four o'clock P.M., on motion of Ms. Creem, as follows, to wit (yeas 38 – nays 1) [**Yeas and Nays No. 116**]:

YEAS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
deMacedo, Viriato M.
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Hinds, Adam G.
Humason, Donald F., Jr.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.
Welch, James T. – **38.**

NAYS.

Chang-Diaz, Sonia – **1.**

The yeas and nays having been completed at three minutes before four o'clock P.M.,

the amendment was adopted.

Messrs. Brownsberger and DiDomenico moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$500,000 shall be expended for traffic analysis, a feasibility study and the design of improvements of the system of intersections along Nonantum road, Soldiers Field road and Birmingham parkway between Brooks street and Western avenue in the city of Boston; provided further, that the study and design process shall include community involvement and seek to reconnect parkland, improve pedestrian and bicycle access and improve the throughput of traffic in the system; and provided further, that the study shall incorporate and build on recent studies on the area and seek to facilitate swift progress on early action items identified by such studies”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$600,000”. 42

The amendment was adopted.

Messrs. Rush, Timilty and O'Connor moved that the bill be amended by striking out section 37 and inserting in place thereof the following section:- 45

“SECTION 37. Item 2810-0122 of said section 2 of said chapter 41 is hereby amended by striking out the words ‘Camp Meigs memorial park’ and inserting in place thereof the following words:- the 54th Massachusetts Volunteer Infantry Regiment Company A Reenactors and Historical Society based in the Readville section of the city of Boston.”

The amendment was adopted.

Ms. Friedman moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be allocated equally to the towns of Arlington, Billerica and Lexington for the purposes of sidewalk and streetscape improvements”. 46

After remarks, the amendment was adopted.

Mr. Keenan moved that the bill be amended in section 2A, in item 7066-1116, by inserting after the word “education”, in line 265, the following words:- “, including state and municipal colleges and universities,” and by inserting after the word “education”, in line 273, the following words:- “, including state and municipal colleges and universities,”. 47

After remarks, the amendment was adopted.

Messrs. Keenan and O'Connor moved that the bill be amended in section 2A, in item 7009-6800, by inserting after the word “systems”, in line 198, the following words:- “; provided further, that public school districts that have already implemented said safety and security enhancements shall be eligible for reimbursement under the program”. 48

The amendment was *rejected*.

Mr. Keenan moved that the bill be amended in section 44, by inserting after the word “grants”, in line 754, the following words:- “ or reimbursements for completed projects”. 49

The amendment was *rejected*.

Ms. Chang-Diaz, Messrs. Eldridge, Collins and O'Connor moved that the bill be amended in section 2, by adding the following item: 55

“7061-9010\$17,500,000”.

The amendment was *rejected*.

Messrs. O'Connor and Tarr moved that the bill be amended in section 5 by striking the figure “90” in Line 555 and inserting thereof the following figure:- “85”; and by striking out the figure “5” in line 556 and inserting thereof the following figure:- “10”. 56

After remarks, the amendment was *rejected*.

Mr. Finegold and Ms. DiZoglio moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that \$25,000 shall be expended for Groundwork Lawrence to study the expansion of the Healthy on the Block 57

program into Haverhill, Methuen, Andover, and North Andover”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “125,000”.

The amendment was adopted.

Mr. DiDomenico moved that the bill be amended in section 2A, in line item 7008-1117, by adding the following:- “provided further, that \$200,000 shall be expended to The Kennedy Center in the Charlestown section of the city of Boston for human services programming”; and by striking the following figure “\$100,000” and inserting in place thereof the following figure “\$300,000”.

59

After remarks, the amendment was adopted.

Mr. Eldridge moved that the bill be amended in section 2A, in item 7008-1117, by adding the following:- “; provided further, that not less than \$200,000 shall be expended for the Boys and Girls Clubs of MetroWest for facility improvements to the Marlborough Clubhouse”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

63

The amendment was adopted.

Ms. Jehlen moved that the bill be amended in section 2A, in line item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for SCM Community Transportation.”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

64

The amendment was adopted.

Mr. Pacheco moved that the bill be amended in section 2A, in item 7008-1117, by inserting at the end thereof the following:- “; provided further, that not less than \$70,000 shall be expended for supplemental emergency funding to Taunton Emergency Task Force Inc.”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$170,000”.

65

After remarks, the amendment was adopted.

Mr. Pacheco moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$50,000 shall be expended in equal amounts to the Carver council on aging, Raynham council on aging, Marion council on aging, Dighton council on aging and Berkley council on aging for intergenerational community-based service learning programs that partner with high schools, colleges and community-based organizations; provided further, that not less than \$80,000 shall be expended in equal amounts to the Bridgewater council on aging, Wareham council on aging, Middleborough council on aging and Taunton council on aging for intergenerational community-based service learning programs that partner with high schools, colleges and community-based organizations”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$230,000”.

67

The amendment was adopted.

Mr. Brady moved that the bill be amended in section 63 by striking the words “April 1, 2020” and inserting in place thereof the following:- “January 5, 2021”.

70

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended in section 8, by striking out, in line 568, the words “section 65” and inserting in place thereof the following words:- “section 65 or at the point of transaction with the automatic voter registration agency”; and by striking out section 9 and inserting in place thereof the following section:-

71

“SECTION 9. Said section 42G½ of said chapter 51 of the General Laws, as so appearing, is hereby further amended by striking out subsection (d) and inserting in place thereof the following subsection:-

(d) In accordance with the memorandum of understanding required by subsection (b), each eligible applicant for services at an automatic voter registration agency who meets the qualifications to register to vote and does not decline to register to vote under

subsection (d) of section 65 or at the point of transaction with the automatic voter registration agency shall be registered as a voter under said section 65 as of the date the registrars add the person's name and address to the register of voters, pursuant to paragraph (4) of said subsection (d) of said section 65; provided, however, that an applicant who meets the qualifications to register to vote, does not decline to register to vote under said subsection (d) of said section 65 or at the point of transaction with the automatic voter registration agency and completes a qualifying transaction with an automatic voter registration agency not less than 21 days before an election shall be entitled to vote in that election."

The amendment was *rejected*.

Mr. Brady moved that the bill be amended by striking out section 8 and inserting in place thereof the following:-

72

"SECTION 8. Subclause (A) of clause (iii) of subsection (c) of section 42G½ of chapter 51 of the General Laws, is hereby amended by inserting after the word 'vote', the following words:- 'at the time of application'." and

By striking out section 9 and inserting in place thereof the following:-

"SECTION 9. Said section 42G½ of said chapter 51 of the General Laws, is hereby amended by striking out subsection (d) and inserting in place thereof the following subsection:- (d) In accordance with the memorandum of understanding required by subsection (b), each eligible applicant for services at an automatic voter registration agency who meets the qualifications to register to vote and does not decline to register to vote at the time of their application shall be registered as a voter under said section 65 as of the date of the information provided in their transaction is confirmed by the agency."

The amendment was *rejected*.

Ms. Lovely, Messrs. Welch, Cyr and Tran, Ms. Gobi and Mr. Tarr moved that the bill be amended by inserting at the end thereof the following section:-

73

"SECTION XX. Grants from the amounts collected pursuant to subsection (b) of section 13T of chapter 23A of the General Laws allocated to regional tourism councils for fiscal year 2019 shall be distributed not later than November 15, 2019 according to the current allocation formula."

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes before five o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 117**]:

YEAS.

Barrett, Michael J.	Hinds, Adam G.
Boncore, Joseph A.	Humason, Donald F., Jr.
Brady, Michael D.	Jehlen, Patricia D.
Brownsberger, William N.	Keenan, John F.
Chandler, Harriette L.	Kennedy, Edward J.
Chang-Diaz, Sonia	Lesser, Eric P.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Montigny, Mark C.
Crighton, Brendan P.	Moore, Michael O.
Cyr, Julian	O'Connor, Patrick M.
deMacedo, Viriato M.	Pacheco, Marc R.
DiDomenico, Sal N.	Rausch, Rebecca L.
DiZoglio, Diana	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Fattman, Ryan C.	Tarr, Bruce E.
Feeney, Paul R.	Timilty, Walter F.

Friedman, Cindy F.
Gobi, Anne M.

Tran, Dean A.
Welch, James T. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Finegold, Barry R. – 1.

The yeas and nays having been completed at six minutes before five o'clock P.M., the amendment was adopted.

Ms. Lovely moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further that no less than \$200,000 shall be expended to the city of Peabody to conduct an engineering survey for the creation of a public trolley”. 74

The amendment was adopted.

Mr. Barrett moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$200,000 shall be expended for Community Farms Outreach, Incorporated, in the city of Waltham for improvements to the property located at 240 Beaver Street in the city of Waltham; provided further, that these funds shall not be expended until the University of Massachusetts conveys the property; provided further, that the initial expenditure of such funds shall be for a report that includes: (i) an assessment of the conditions, systems, structural integrity, safety, useful life and projected annual operating costs of the main administrative building located at 240 Beaver Street in the city of Waltham; and (ii) a list of prioritized recommended repairs for the building; and provided, further, that such funds shall be available through June 30, 2021”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”. 76

The amendment was adopted.

Mr. Rush moved that the bill be amended in section 2, by inserting after item 2511-0100 the following item:- 80

“Department of Conservation and Recreation

2810-0122 \$200,000”; and

By inserting after section 33 the following section:-

“SECTION 33A. Item 2810-0122 of said section 2 of said chapter 41 is hereby amended by inserting after the word ‘museum’, the third time it appears, the following words: ‘; provided further, that not less than \$200,000 shall be expended for the Havey beach property in the West Roxbury section of the city of Boston for the purpose of an outdoor recreation center; provided further, that the department shall provide the house and senate committees on ways and means a status report on the request for proposal for the Havey beach property site not later than March 5, 2020’.”.

After remarks, the amendment was adopted.

Ms. Rausch and Mr. O'Connor moved that the bill be amended by inserting after section __ the following section:- 81

“SECTION XX. Section 8D of chapter 90 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by inserting after the words ‘organ procurement organizations serving the commonwealth.’ the following words:- ‘The registrar shall make available in all registry branches registration stands provided by the Be the Match organization.’.”

The amendment was *rejected*.

Mr. Hinds moved that the bill be amended in section 2A, in line item 7008-1117, by adding at the end thereof the following:- “; provided further, that not less than \$200,000 shall be provided to Berkshire Fund, Inc. to support the relocation of Barton’s Crossing 82

Homeless Shelter”; and by striking out the figure “\$100,000” and inserting in place thereof the figure “\$300,000”.

After remarks, the amendment was adopted.

Mr. Humason moved that the bill be amended in section 2A, in item 7008-1117, by inserting at the end thereof the following:- “; provided further that \$200,000 shall be expended for drinking water testing, purification, and improvements to the water supply infrastructure in the city of Westfield”.

85

After remarks, the amendment was adopted.

Messrs. deMacedo, Cyr and O'Connor move to amend the bill by inserting the following sections:-

87

“SECTION XX. Section 14 of Chapter 188 of the Acts of 2016 is hereby amended in subsection (a) by striking the following:- ‘2 representatives of the Pilgrim Nuclear Power Station, also known in this section as PNPS or Station, as selected by the owner of the station; and’.

SECTION XX. Said section is hereby further amended in subsection (a) by inserting the following after the word ‘PNPS’:- ‘; and 2 members who reside in Barnstable County as selected by the President of the Senate’.

SECTION XX. Said section is hereby amended in subsection (b) by inserting the following after the word ‘appointed.’:- ‘Ex officio members shall be non-voting members of the panel.’

SECTION XX. Said section is hereby further amended by striking subsection (e) and inserting in place thereof the following:- ‘(e) A majority of the panel's voting members shall constitute a quorum. The panel shall act only by vote of a majority of its voting membership and only at meetings called by the chair or co-chair or by any 5 voting members of the panel. The persons calling the meeting shall provide adequate notice to all its members.’.”

The amendment was *rejected*.

Mr. Brady moved that the bill be amended by adding in section 2A, in line item 7008-1117, in line 188 by inserting after the word “project,” the following:- “provided further, that \$200,000 shall be expanded for a parking lot expansion and upgrades to the senior center at the Brockton Council on Aging in the city of Brockton”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:-”\$300.000”.

88

The amendment was adopted.

Ms. DiZoglio, Messrs. Moore, Welch, Eldridge, Tarr and deMacedo, Ms. Jehlen and Messrs. O'Connor and Crighton moved that the bill be amended in section 2 by adding item 1201-0100: “; and provided, further, that not less than \$800,000 shall be expended to organizations providing tax assistance services to individuals and families qualifying for the Volunteer Income Tax Assistance Program, in partnership with the Internal Revenue Service, for the provision of said services”.

92

After remarks, the amendment was *rejected*.

Messrs. O'Connor, Keenan, Timilty, deMacedo, Brady, Pacheco and Montigny moved that the bill be amended in section 2A, in item 7008-1117 by inserting at the end the following:- “; provided further that \$100,000 be expended to the Plymouth County 4H Club”; and by striking the figure “\$100,000” and inserting thereof the following figure:- “\$200,000”.

93

The amendment was adopted.

Ms. DiZoglio and Mr. Tarr moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$200,000 shall be expended to Inspirational Ones, Inc. to commence a youth innovation pilot program in collaboration with Methuen Public Schools and other agencies and organizations primarily serving the youth of the city of Methuen and the Merrimack Valley; provided further, that

94

funds may be expended to create and implement a curriculum model to identify and expand deeper learning opportunities with a focus on engaging at-risk youth, secure a facility in the city of Methuen and hire an executive director and other staff directly related to providing said pilot program”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

After remarks, the amendment was adopted.

Messrs. Cyr and O'Connor moved that the bill be amended by inserting after section 30 the following section:-

97

“SECTION 30A. Subsection (b) of section 97 of chapter 209 of the acts of 2018 is hereby amended by adding the following sentence:- The co-chairs of the commission may designate 2 other commission members to serve as acting co-chairs for the commission by mutual agreement of the co-chairs; provided, however, that the co-chairs shall submit the designation in writing to the clerk of the house and the clerk of the senate.”; and by inserting after section 58 the following section:-

“SECTION 58A. Notwithstanding any general or special law to the contrary, the special commission established in section 97 of chapter 209 of the acts of 2018 is hereby revived and continued to December 31, 2020.”

The amendment was adopted.

Mr. Crighton moved that the bill be amended in section 2A, in item 7008-1117, by inserting at the end thereof the following:- “; provided further that not less than \$200,000 shall be expended to the City of Lynn for their Senior Center”.

99

The amendment was adopted.

Ms. DiZoglio moved that the bill be amended in section 2, in item 4510-0810, by adding at the end the following: “provided further, that not less than \$250,000 shall be expended to the Greater Lawrence Family Health Center, Inc. for programs to increase access to health care for the medically underserved in the city of Haverhill; provided further, that such programs shall include the development of a full-service community health center in the city of Haverhill with collaborative, graduate degree-level programs to train advanced practice nurses by Regis College; provided further, that the expenditure of such funds shall be contingent on the Greater Lawrence Family Health Center, Inc. providing a matching amount of not less than \$250,000 in private funding”; and by striking out the figure “\$1,000,000” and inserting in place thereof the following figure:- “\$1,250,000”.

100

The amendment was *rejected*.

Messrs. deMacedo, Cyr and O'Connor moved that the bill be amended by inserting the following section:-

102

“SECTION XX. Subpart (E) of section 5K of chapter 111 of the General Laws, as so appearing, is hereby amended by inserting after the second sentence the following sentence:- 'Such assessments may be made against operating nuclear power plants and non-operating nuclear power plant sites that harbor spent nuclear fuel, high-level radioactive waste or other nuclear material in a spent fuel pool, dry cask storage systems or other storage structure; provided, that these costs shall not be assessed against non-operating nuclear power plant sites where all plant facilities have completed the decommissioning process and the federal Nuclear Regulatory Commission has approved all areas of the site for unrestricted use, excluding the Independent Spent Fuel Storage Installation, in accordance with 10 CFR Part 50.82 and 10 CFR Part 72; provided further, that no monies from any Decommissioning Trust Fund shall be used to satisfy assessments under this subpart.'”

The amendment was *rejected*.

Mr. Kennedy moved that the bill be amended in section 2A, by inserting after the figure “7008-1117” the words “Not less than \$200,000 shall be expended on a study for

103

the purpose of improvements and repairs to the Lower Locks and surrounding area in the City of Lowell”.

The amendment was adopted.

Messrs. Lesser, Welch and Humason moved that the bill be amended in section 2, in item 7008-1117, by adding at the end thereof the following words:- “provided further, that not less than \$200,000 shall be expended for the Friends of Chicopee Senior Citizens Inc. in the city of Chicopee”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

106

The amendment was adopted.

Ms. DiZoglio and Mr. Tarr moved that the bill be amended by adding at the end the following section:-

107

“SECTION XX. There shall be a Merrimack river district commission to review the state of health of the Merrimack river and its tributaries in order to improve and restore water quality. The commission’s review shall include, but shall not be limited to: (i) current wastewater discharges from municipal and industrial sources; (ii) combined sewer overflow discharge standards; (iii) discharge flow data collection and distribution; (iv) monitoring of water quality standards and criteria; (v) a notification system for alerts to the public; (vi) optimal research technology; (vii) cost and cost-sharing among communities, including grant and other funding opportunities; and (viii) time frames for achieving the benchmark health goals. The commission shall consist of the following members or a designee: the director of the Merrimack Valley Planning Commission, who shall serve as chair; the commissioner of environmental protection; the commissioner of public health; the commissioner of energy resources; of the director of the Massachusetts emergency management agency; the commissioner of conservation and recreation; the Vice Chancellor for research and innovation leadership at the University of Massachusetts at Lowell; 1 member appointed by the Merrimack River Watershed Council; 1 member appointed by Groundwork Lawrence, Inc.; 1 member appointed by the Lowell Parks and Conservation Trust, Inc.; 1 member appointed by Save The Harbor, Save The Bay, Inc.; 1 member appointed by the Environmental League of Massachusetts, Inc.; 1 member appointed by the Conservation Law Foundation, Inc.; 1 member appointed by the Sierra Club; and 1 member appointed by the Massachusetts River Alliance. The commission shall be advised by and consult with an advisory panel to consist of: 1 appointee of each mayor and town manager in municipalities along the Merrimack river; 1 appointee of each operator or manager of a sewer or combined sewer overflow location along the Merrimack river; and 1 appointee of each conservation commission along the Merrimack river who administers and enforces section 40 of chapter 131 of the General Laws and stormwater management standards. Appointments to the commission and the advisory panel shall be made not later than 30 days after the effective date of this act. The department of environmental protection shall furnish reasonable staff and other support for the work of the commission. Members shall not receive compensation for their service, but may receive reimbursement for reasonable expenses incurred in carrying out their responsibilities as members of the commission. The commission may select and contract with independent consultants to assist with leading and managing public hearings, conducting and analyzing data and information, completing a final report and any other activity to achieve the goals of the commission. The commission shall conduct a series of public hearings to receive testimony and collect data. The hearings shall be held in geographic locations bordering the Merrimack river. The commission shall make recommendations regarding appropriate measures to ensure the present and future health of the Merrimack river and its tributaries, address pollution and make the Merrimack river and its tributaries meet applicable standards for public use and enjoyment. The recommendations shall include an implementation plan including, but not be limited to, a determination of the infrastructure,

equipment, communication systems, funding and programs necessary to establish a baseline health goal for the Merrimack river to maximize its environmental, economic, recreational and aesthetic potential. All recommendations of the commission shall be public records. Not later than January 1, 2021, the commission shall submit a written report of its findings and recommendations, together with any proposed legislation, to the clerks of the senate and the house of representatives. The first meeting of the commission shall be not later than January 1, 2020.”.

The amendment was *rejected*.

Mr. Fattman moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for infrastructure improvements at Waters Farm in Sutton”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

108

After remarks, the amendment was adopted.

Messrs. Fattman and Tarr, Ms. Gobi and Mr. O'Connor moved that the bill be amended by inserting the following section:-

111

“SECTION XX. Section 328 of chapter 94 of the General Laws, as so appearing, is hereby amended by inserting after the first paragraph the following:- No food service entity or retail store who donates food, including open-dated food whose date has passed, directly to an individual without charge or at a charge sufficient only to cover the cost of handling such food, shall be liable for civil damages for any injury arising out of the condition of such food; provided, however, that at the time of donation such food is not misbranded and is not adulterated and has not been manufactured, processed, prepared, handled or stored in violation of applicable regulations of the department of public health; and provided, further, that such injury is not the result of negligence, recklessness or intentional misconduct of the donor or any person employed by or under the control of the donor.

The amendment was *rejected*.

Messrs. Welch and O'Connor moved that the bill be amended in section 2A, in item 9110-1635, by inserting the following words:- “provided further, that the department of elder affairs, in consultation with the executive office of health and human services shall require that each home care and home health agency receiving funds from the item submit a spending plan fully accounting for the uses of said funds, including the rate add-on funds for hourly rate increases, other categories of worker compensation and other related eligible costs; provided further, that not later than July 1, 2020, the department shall provide a report to the house and senate committees on ways and means detailing the impact of funds from this item on wages for the workforce at the home care and home health agencies receiving rate adjustments.”

115

The amendment was adopted.

Mr. Feeney moved that the bill be amended in section 2A, in line item 7008-1117 by inserting after the word “projects” the following words:- “provided further that no less than \$195,000 shall be expended for New Hope Incorporated for the design, planning, purchase of land and construction of an emergency shelter in Northern Bristol County”; and by striking out the number “\$100,000” and replacing it with “\$295,000”.

117

The amendment was adopted.

Mr. Welch moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for enhancements and improvements to Mittineague Park in the town of West Springfield”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

118

After remarks, the amendment was adopted.

Mr. Montigny moved that the bill be amended , in section 2, by inserting after item 7061-9408 the following item:-

122

“7061-9611.....\$200,000”; and By inserting after section 38 the following section:-

“SECTION 38A. Item 7061-9611 of said section 2 of said chapter 41 is hereby amended by striking out the figure ‘\$500,000’ and inserting in place thereof the following figure:- \$700,000.”

After remarks, the amendment was adopted.

Messrs. Tarr, Pacheco and O'Connor moved that the bill be amended by inserting after section _ the following section:-

123

“SECTION _ . Notwithstanding any general or special law to the contrary the executive office of energy and environmental affairs shall conduct a study on the green economy including but not limited to the number of jobs that have been created. Said study shall be submitted to the clerks of the house and senate and the house and senate committee on ways and means by December 31, 2020.”

The amendment was *rejected*.

Mr. Cyr moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided, that not less than \$150,000 shall be expended for the Martha’s Vineyard Commission to conduct a comprehensive housing and homelessness study for the county of Dukes County, which shall include, but not be limited to: (i) the identification of housing needs by municipality; (ii) an analysis of wastewater capacity by basin and municipality; and (iii) an enumeration of the capital expenses necessary to meet housing needs; provided further, that the Martha’s Vineyard Commission shall issue a detailed capital improvement plan to meet Martha’s Vineyard’s projected housing needs; provided further, that the Martha’s Vineyard Commission shall work in consultation with municipalities in the county of Dukes County, the Dukes County Regional Housing Authority, the Martha’s Vineyard Network on Homeless Prevention and the Island Housing Trust Corporation to develop the plan; and provided further, that not less than \$50,000 shall be expended to the county of Dukes County to serve homeless and housing insecure residents, including to hire or contract for the services of a homeless prevention case manager”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

124

The amendment was adopted.

Mr. Keenan moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$200,000 shall be expended for the replacement of rugs at the Main Library of the Thomas Crane Public Library in the city of Quincy”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$300,000”.

125

The amendment was adopted.

Mr. Timilty moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “provided that \$30,000 shall be expended to the Town of Milton for the construction and installation of a permanent street hockey court”.

31

The amendment was adopted.

Ms. Comerford moved that the bill be amended in section 2A, in item 7008 -1117, by inserting after the word “projects” the following words:- “; provided, that not less than \$150,000 shall be expended for the Northampton Chamber of Commerce for local projects to expand community and cultural development in the city of Northampton”: and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$250,000”.

39

The amendment was adopted.

Messrs. Rush, Timilty, Tarr, O'Connor and DiDomenico moved that the bill be amended by inserting at the end thereof the following section:-

44

“SECTION XX. Section 2 of chapter 41 of the acts of 2019 is hereby amended, in

item 0610-2000, by striking out the figure ‘\$205,000’ and inserting in place thereof the following figure:- ‘\$300,000’.”

After remarks, the amendment was adopted.

Mr. Finegold moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that \$175,000 shall be expended for the Andover Youth Foundation to satisfy the debt service incurred for construction of the Cormier Youth Center in the town of Andover”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$275,000”.

58

The amendment was adopted.

Messrs. O'Connor and Tarr moved that the bill be amended in section 2A, by inserting the following item:-

60

“8000-0140 For a grant program administered by the executive office of public safety and security to establish or support existing regional fentanyl interdiction programs investigating major criminal enterprise and criminal activities related to intra- and inter-state trafficking of fentanyl; provided, that administrative costs for approved grants shall not exceed 2 per cent of the funds appropriated in this item.....\$5,000,000.”

After remarks, the amendment was *rejected*.

Ms. Jehlen and Mr. Moore moved that the bill be amended by striking out section 57 and inserting in place thereof the following section:-

62

“SECTION 57. There shall be a commission to review and provide recommendations on the current classification of inside sales employees paid solely by commissions or advances on commissions who satisfy the requirements of section 207(i) or section 213(b)(10)(A) of the federal Fair Labor Standards Act, 29 U.S.C. 201 to 219, inclusive. The commission’s review shall include, but not be limited to: (i) economic impacts related to reliance by employers on wage and hour statutory guidance provided by an agency; (ii) recent judicial findings on wage and hour statutes as applied to such commissioned employees; and (iii) any other factors the commission deems appropriate. The commission shall consist of the secretary of labor and workforce development and the secretary for administration and finance or their designees, who shall serve as co-chairs, and 8 members appointed by the governor, 4 of whom shall represent retailers and employers, 3 of whom shall represent employees and 1 of whom shall be selected from either a list provided by the Massachusetts Employment Lawyers Association, Inc. or a list provided by a union representative of inside sales employees paid solely by commissions or advances on commissions. The commission may consult with experts and stakeholders in determining its findings and shall hold at least 1 public hearing. The commission shall file a report of its findings with the clerks of the senate and the house of representatives, the joint committee on labor and workforce development and the senate and house committees on ways and means not later than March 1, 2020.”

After remarks, the amendment was adopted.

Mr. O'Connor moved that the bill be amended in section 2A, in item 7008-1117 by inserting at the end the following:- “; provided further that \$100,000 be expended to Friendship Home, a non-profit respite home in Norwell”; and by striking the figure “\$100,000” and inserting thereof the following figure:- “\$200,000”.

95

The amendment was adopted.

Messrs. Montigny and Tarr moved that the bill be amended by inserting after section 30 the following section:-

131

“SECTION 30A. Subsection (b) of section 58 of chapter 228 of the acts of 2018 is hereby amended by striking out the words ‘offshore energy exploration or development’ in subsection (b) and inserting in place thereof the following words:- offshore oil and gas exploration or development; provided further, that said piers may be used to support

offshore wind development and operations.”; and

By inserting after section 59 the following section:-

“SECTION 59A. Notwithstanding any general or special law to the contrary, the School for Marine Science and Technology at the University of Massachusetts at Dartmouth shall conduct a study, in consultation with commercial fishermen and offshore wind representatives, to investigate the consideration given to impacts on the commonwealth’s fisheries and commercial fishing industry during the procurement and construction of offshore wind projects in the commonwealth. The study shall also include, but not be limited to, a detailed summary of the school’s ongoing research activities, regulations issued by the federal Bureau of Ocean Energy Management and efforts to engage the commercial fishing industry. The study shall be submitted to the clerks of the senate and the house of representatives, the department of energy resources and the division of marine fisheries not later than May 1, 2020.”

The amendment was adopted.

Messrs. deMacedo and O'Connor moved that the bill be amended in section 2A, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$50,000 shall be expended for The South Shore Community Action Council, Inc. for the operation of an early childhood education program”; and by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$150,000”.

98

The amendment was adopted.

Messrs. Tarr and O'Connor moved that the bill be amended by inserting in line 135 after the word “technology” the following:- “(iv) tools and technologies to facilitate sustainability and new product development”

51

After remarks, the amendment was adopted.

Mr. Tarr moved that the bill be amended in section 2A, in item 2000-0102 by inserting in line 115 after the word “services” the following:- “and electric outdoor power equipment for lawn maintenance”

91

After remarks, the amendment was adopted.

Messrs. Tarr and O'Connor moved that the bill be amended in section 2A by inserting following item:-

96

“0710-0000 That the auditor is authorized and directed to analyze and determine the type and amount of any and all costs to the commonwealth of the emergency response, actions to protect public safety and other necessary actions in connection with the gas explosions on September 13, 2018 in North Andover, Andover, and Lawrence that have not been reimbursed by Columbia Gas of Massachusetts, its parent corporation or other affiliates, either through direct payment or the assignment of recoveries from their insurers or other third parties.....\$150,000”

The amendment was *rejected*.

Messrs. Fattman, Tran and Tarr moved that the bill be amended by inserting the following section:-

109

“SECTION XX. Subsection (b) of section 4 of chapter 62 of the General Laws, as so appearing, is hereby amended by striking out the last paragraph and inserting in place thereof the following paragraph: Notwithstanding the preceding paragraph, Part B taxable income shall be taxed at the rate of 5.0 per cent for tax years beginning on or after January 1, 2020.”

The amendment was *rejected*.

Mr. Tarr moved that the bill be amended in section 2A, in item 7008-1117 by inserting the following:- “provided that at \$180,000 shall be expended for the planning, design and construction of a handicap accessible platform at the North Wilmington Commuter Rail facility”; and by striking the number “\$100,000” and inserting in place thereof the following “\$280,000”.

119

After remarks, the amendment was adopted.

Mr. Tarr moved that the bill be amended in section 2A, in item 7008-1117 by inserting at the end thereof the following:- “provided, further that at least \$20,000 shall be expended for planning, design, and construction for a department of public works facility in the town of Rockport”; and by striking out the number “\$100,000” and inserting in place thereof the following:-”\$120,000”.

121

The amendment was adopted.

Messrs. Tarr and O'Connor moved that the bill be amended by inserting after item 8700-1150 the following item:-

134

“8000-0600 at least three million dollars shall be expended for the development and implementation of a uniform electronic citation system for citations and written warnings issued for motor vehicle violations in the commonwealth by the registry of motor vehicles and the department of public safety. Said system shall automatically record license information, which shall include but not be limited all driver information to whom a citation or warning is being issued. Said system shall be utilized by the Department of the State Police, municipal police departments, and all entities authorized to issue uniform traffic citations in the commonwealth, provided, however, that it may be phased in over a period of not more than 5 years. In order to facilitate the deployment and implementation of the system, the department of public safety is authorized to develop and administer a one-time grant program to assist local police departments with the purchase of necessary equipment, including but not limited to mobile terminals and other components of electronic infrastructure. Beginning not more than twelve months following the passage of this act and each year thereafter until said system is fully operational, the department of public safety shall file a report with the clerks of the house and senate detailing the progress of its implementation\$3,000,000”

The amendment was *rejected*.

Messrs. Tarr, Tran and O'Connor move to amend the bill by inserting after section_ the following sections:-

25

“SECTION_ .Paragraph (b) of Part B of section 3 of said chapter 62 of the General Laws, as so appearing, is hereby amended by striking out subparagraph (3) and inserting in place thereof the following subparagraph:-

(3) For tax years beginning on or before December 31, 2019, an exemption of \$1,000 for each individual who qualifies for exemption as a dependent under section 151 (c) of the Code. For tax years beginning on or after January 1, 2020, an exemption of \$2,000 for each individual who qualifies for exemption as a dependent under section 151 (c) of the Code.

SECTION_ Chapter 41 of the acts of 2019 is hereby amended by striking out section 81 and inserting in place thereof the following section:-

Section 81. (a) Notwithstanding any general or special law to the contrary, prior to transferring the consolidated net surplus in the budgetary funds to the Commonwealth Stabilization Fund pursuant to section 5C of chapter 29 of the General Laws, the comptroller shall dispose of the consolidated net surplus in the budgetary funds for fiscal year 2019 as follows, and in the following order of precedence: (i) transfer funds as necessary to bring the balance of the Commonwealth Stabilization Fund, established in section 2H of chapter 29 of the General Laws, at the close of fiscal year 2019 to \$3,000,000,000; (ii) transfer \$10,000,000, to the Massachusetts Life Sciences Investment Fund, established in section 6 of chapter 23I of the General Laws; (iii) transfer \$20,000,000, to the Massachusetts Community Preservation Trust Fund, established in section 9 of chapter 44B of the General Laws; (iv) transfer the remaining surplus, but not more than \$175,000,000, to the Tax Reduction Fund, established in section 2I of chapter 29 of the General Laws.

(b) In fiscal years 2020 and 2021, at the direction of the secretary of administration and finance, the comptroller shall transfer funds from the Tax Reduction Fund to the General Fund to offset reduced tax collections caused by the increase in the dependent exemption to \$2,000 pursuant to subparagraph (3) of paragraph (b) of Part B of section 3 of chapter 62 of the General Laws, as estimated by the commissioner of revenue. In calculating any permitted uses of money in the Tax Reduction Fund pursuant to section 21 of chapter 29 of the General Laws, the commissioner of revenue shall first account for transfers necessary under this section.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at seventeen minutes past six o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 10 – nays 28) [Yeas and Nays No. 118]:

YEAS.

deMacedo, Viriato M.
DiZoglio, Diana
Fattman, Ryan C.
Gobi, Anne M.
Humason, Donald F., Jr.

Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.
Tran, Dean A. – 10.

NAYS.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
Eldridge, James B.
Feeney, Paul R.

Friedman, Cindy F.
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Welch, James T. – 28.

ABSENT OR NOT VOTING.

Finegold, Barry R. – 1.

The yeas and nays having been completed at twenty minutes past six o'clock P.M., the amendment was *rejected*.

The President in the Chair, Ms. Rausch and Ms. Chang-Diaz moved that the bill be amended in section 2, by inserting after item 0321-1510 the following item:-

126

“Secretary of the Commonwealth

0511-0271\$400,000”; and

By inserting after section 32 the following section:-

“SECTION 32A. Item 0511-0271 of said section 2 of said chapter 41 is hereby amended by adding the following words: “; provided further, that, not later than November 30, 2019, the secretary shall publish online a plan of action for implementing the Complete Count grant program, including a timeline detailing when requests for proposals for the Complete Count grant program will be issued and when funds will be awarded and disbursed to recipients; provided further, that the stated goals of said plan of action shall be that requests for proposals be issued not later than December 1, 2019 and to ensure that not less than 50 per cent of the grants shall be awarded and disbursed not later than January

15, 2020 to ensure that grant recipients have sufficient time to prepare and conduct outreach;’.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-eight minutes past six o'clock P.M., on motion of Ms. Rausch, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 119**]:

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| Boncore, Joseph A. | Humason, Donald F., Jr. |
| Brady, Michael D. | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Kennedy, Edward J. |
| Chang-Diaz, Sonia | Lesser, Eric P. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crichton, Brendan P. | Moore, Michael O. |
| Cyr, Julian | O'Connor, Patrick M. |
| deMacedo, Viriato M. | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Fattman, Ryan C. | Tarr, Bruce E. |
| Feeney, Paul R. | Timilty, Walter F. |
| Friedman, Cindy F. | Tran, Dean A. |
| Gobi, Anne M. | Welch, James T. – 38. |

NAYS – 0.

ABSENT OR NOT VOTING.

Finegold, Barry R. – **1.**

The yeas and nays having been completed at half past six o'clock P.M., the amendment was adopted.

Moment of Silence.

The President, the members, guests and staff stood in a moment of silence and reflection to the memory of James H. Crocker Jr.

Moment of silence.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill making appropriations for the fiscal year 2019 to provide for supplementing certain existing appropriations and for certain other activities and projects (Senate, No. 2378), was further considered, the main question being on ordering the bill to a third reading.

Supplemental appropriations.

Mr. Rodrigues moves to amend the bill in section 2, in item 7008-1117, by adding the following words:- “; provided further, that not less than \$25,000 shall be expended for energy efficiency and handicap accessibility upgrades at the Freetown council on aging in the town of Freetown; provided further, that not less than \$25,000 shall be expended for handicap accessibility improvements and upgrades at Sociedade Cultural Acoreana, Inc. in the city of Fall River; provided further, that not less than \$150,000 shall be expended for safety improvements and upgrades at the intersection of Route 177, Robert street and Tickle road in the town of Westport; provided further, that not less \$200,000 shall be expended on grants for improving the cultural competency of mental health counseling and

132

guidance services in school districts with increasing enrollment located in the Metrowest cohesive commercial statistical area; provided further, that not less than \$100,000 shall be expended for the Commonwealth Shakespeare Company”; In said section 2, in said item 7008-1117, by striking out the figure “\$100,000” and inserting in place thereof the following figure:- “\$7,595,000”;

In section 2A, in item 1599-2014, in lines 90 to 104, inclusive, by striking the words “provided further, that the report shall also include information on the process and timeline for transferring all men who are civilly committed under said section 35 of said chapter 123 to either: (i) a facility approved by the department of public health or the department of mental health; or (ii) a secured facility approved by the department of public health or the department of mental health if a court makes a specific finding that the only appropriate setting for treatment for the person is a secure facility; provided further, that the report shall also detail the status of implementing the recommendations of the section 35 involuntary commitment commission established in section 104 of chapter 208 of the acts of 2018, including, but not limited to, the establishment of standards of medical care for patients who are committed under said section 35 of said chapter 123 and the procedures adopted to ensure continuity of care post-discharge between facilities under said section 35 of said chapter 123 and community-based facilities; and provided further, that the report shall also include recommendation on how to ensure sufficient access to facilities and services for patients who are committed under said section 35 of said chapter 123 in all regions of the commonwealth, prioritizing those regions currently lacking access to facilities” and inserting in place thereof the following words:- “provided further, that the report shall also include the process and timeline for ensuring that: (i) all facilities that treat men who are civilly committed under said section 35 of said chapter 123 adopt the same treatment standards as those required for facilities operated by the department of mental health or approved by the department of public health; and (ii) all men who are civilly committed under said section 35 of said chapter 123 are placed in the least restrictive setting, unless a court determines that a secure facility is the only appropriate setting for an individual; provided further, that the report shall also detail the status of implementing the recommendations of the section 35 involuntary commitment commission established in section 104 of chapter 208 of the acts of 2018, including, but not limited to, the establishment of standards of medical care for patients who are committed under said section 35 of said chapter 123 and efforts undertaken to ensure continuity of care post-discharge between facilities providing treatment under said section 35 of said chapter 123 and treatment in the community; and provided further, that the report shall also include recommendations on how to ensure sufficient access to facilities and services for patients who are committed under said section 35 of said chapter 123 in all regions of the commonwealth, prioritizing those regions currently lacking access to facilities”;

By inserting after section 30 the following section:-

“SECTION 30A. Section 11 of chapter 205 of the acts of 2018 is hereby amended by striking out the word ‘January’ and inserting in place thereof the following word:- ‘April’.”;

By striking out section 38 and inserting in place thereof the following section:-

“SECTION 38. Item 7035-0006 of said section 2 of said chapter 41 is hereby amended by adding the following words:- ‘; provided further, that notwithstanding any general or special law to the contrary, \$2,616,032 in funds forwarded from fiscal year 2019 shall apply to fiscal year 2020 reimbursements’.”;

By striking out section 39 and inserting in place thereof the following 2 sections:-

“SECTION 39. Item 7061-9813 of said section 2 of said chapter 41 is hereby amended by striking out the words ‘school districts serving fewer than 11 students per square mile shall be given priority for rural school aid’ and inserting in place thereof the following

UNCORRECTED PROOF.

words:- ‘rural school aid shall be allocated equitably in the following order of priority: (a) school districts serving less than 11 students per square mile; (b) school districts serving not more than 21 students per square mile; and (c) school districts serving not more than 35 students per square mile’.

SECTION 39A. Said item 7061-9813 of said section 2 of said chapter 41 is hereby further amended by adding the following words:- ; provided further, that notwithstanding any general or special law to the contrary, \$1,000,000 in funds forwarded from fiscal year 2019 shall apply to fiscal year 2020 rural school aid.”;

By striking out section 40 and inserting in place thereof the following section:

“SECTION 40. Item 7061-9408 of said section 2 of said chapter 41 is hereby further amended by adding the following words:- ; and provided further, that notwithstanding any general or special law to the contrary, up to \$30,000,000 in funds forwarded from fiscal year 2019 shall be made available until June 30, 2022.”; and

In section 45, by striking out, in lines 765 and 766, the words “payments shall not exceed \$5,000,000 to the green communities program per fiscal year and \$27,000,000 to electric vehicle incentive programs per fiscal year” and inserting in place thereof the following words:- “not less than \$5,000,000 shall be available for the green communities program per fiscal year and not less than \$27,000,000 shall be available for electric vehicle incentive programs per fiscal year”.

The amendment was adopted.

The bill (Senate, No. 2378, amended) was then ordered to a third reading and read a third time.

The question on passing the bill to be engrossed was determined by a call of the yeas and nays at twenty-five minutes before seven o’clock P.M., on motion of Mr. Rodrigues, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 120**]:

YEAS.

Barrett, Michael J.	Humason, Donald F., Jr.
Boncore, Joseph A.	Jehlen, Patricia D.
Brady, Michael D.	Keenan, John F.
Brownsberger, William N.	Kennedy, Edward J.
Chandler, Harriette L.	Lesser, Eric P.
Chang-Diaz, Sonia	Lewis, Jason M.
Collins, Nick	Lovely, Joan B.
Comerford, Joanne M.	Montigny, Mark C.
Creem, Cynthia Stone	Moore, Michael O.
Crighton, Brendan P.	O’Connor, Patrick M.
Cyr, Julian	Pacheco, Marc R.
deMacedo, Viriato M.	Rausch, Rebecca L.
DiDomenico, Sal N.	Rodrigues, Michael J.
DiZoglio, Diana	Rush, Michael F.
Eldridge, James B.	Spilka, Karen E.
Fattman, Ryan C.	Tarr, Bruce E.
Feeney, Paul R.	Timilty, Walter F.
Friedman, Cindy F.	Tran, Dean A.
Gobi, Anne M.	Welch, James T. – 39.
Hinds, Adam G.	

NAYS – 0.

ABSENT OR NOT VOTING.

Finegold, Barry R. – 1.

The yeas and nays having been completed at twenty-three minutes before seven o’clock P.M., the bill, as amended was passed to be engrossed [For text of Senate Bill

printed as amended, see Senate, No. 2386].
Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Rush,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M., and that the Clerk be directed to dispense with the printing of a calendar.

Time of meeting.

Adjournment in Memory of James H. Crocker Jr.

The Senator from Cape and Islands, Mr. Cyr, moved that when the Senate adjourns today, it do so in memory of James H. Crocker Jr. of Osterville. Jimmy passed away on October 18, 2019 of complications from surgery. He was 63 years old.

Mr. Crocker, a 14th generation Cape Codder, will be remembered for his devotion to his community and leadership in public service. Born and raised in Osterville, he was active in public life and the Cape Cod community for decades. In addition to serving as Barnstable Town Council President, Mr. Crocker left his mark on a number of other civic, business, and professional associations including the Osterville Historical Museum, the Barnstable Fatherhood Program, and the Osterville Business and Professional Association. He leaves quite a legacy in Barnstable and across Cape Cod.

A graduate of Barnstable Public Schools, he went on to attend Suffolk University where he earned a Bachelor of Science Degree in Economics. For 35 years, Mr. Crocker worked tirelessly as the Principal Broker of Wianno Realty in Osterville and for his company, Crocker Enterprises Ltd. He enjoyed boat rides and watching the Patriots in his spare time.

In addition to his steadfast commitment to his work and community involvements, Mr. Crocker was a dedicated father of Chrissy and Carly and a loving brother of Susan Crocker, Lindley Gifford, Linda Crocker-Rizkallah, Sharon Crocker, Cathleen Mortimer and Lisa Crocker. He is survived by his wife of thirty-three years, Gail.

We remember James H. Crocker Jr. for his remarkable service to our community and compassion for others.

Accordingly, as a mark of respect to the memory of James H. Crocker Jr., at twenty-two minutes before seven o'clock P.M., on motion of Mr. Montigny, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.