

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, DECEMBER 23, 2020

[128]

JOURNAL OF THE SENATE

Wednesday, December 23, 2020.

Met at nineteen minutes past ten o'clock A.M. (Mr. Brownsberger in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

The Chair (Mr. Brownsberger), members, guests and staff then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Report.

Report of the Office of the State Treasurer (pursuant to Section 35QQ(b) of Chapter 10 of the General Laws) submitting its 2020 Economic Empowerment Trust Fund Annual Report (received December 21,2020),-- was placed on file.

Treasurer,-- EETF annual report. SD3139

Petition.

Mr. Timilty presented a petition (accompanied by bill, Senate, No. 2986) of Walter F. Timilty and William J. Driscoll, Jr. (by vote of the town) for legislation to authorize certain investments by the Treasurer of the town of Milton [Local approval received];

Milton,-- investments.

Referred, under Senate Rule 20, to the committee on Municipalities and Regional Government.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

Messages were severally referred, in concurrence, as follows:

Message from His Excellency the Governor recommending legislation relative financing a program for improvements to the Unemployment Insurance Trust Fund and relief to employers in the Commonwealth (House, No. 5206);

Unemployment Insurance Trust Fund.

To the committee on Labor and Workforce Development.

Message from His Excellency the Governor recommending legislation authorizing the town of Berlin to continue the employment of Paul Kenneth Clark (House, No. 5207);

Paul Kenneth Clark, - employment.

To the committee on Public Service.

A Bill relative to the unfunded pension liability for retired sheriff's department employees in Barnstable county (House, No. 5210,-- on House, No. 3929),-- was read and, under Senate Rule 27, referred to the committee on Ways and Means.

Barnstable,-- sheriff's department.

Committee Changes.

The Chair (Mr. Brownsberger) announced the resignation of Senator Brady of Plymouth and Bristol as a member of the committee on Bills in the Third Reading and the appointment of Senator Brownsberger of Suffolk and Middlesex to fill the vacancy.

Bills in the Third Reading,-- membership.

Subsequently, the Chair (Mr. Brownsberger) announced the resignation of Senator Brownsberger of Suffolk and Middlesex as a member of the committee on Bills in the Third Reading and the reappointment of Senator Brady of Plymouth and Bristol thereto.

Recess.

There being no objection, at twenty minutes past ten o'clock A.M., the Chair (Mr. Brownsberger declared a recess subject to the call of the Chair; and at eleven minutes before twelve o'clock noon, the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPER FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 1.

Police reform,-- standards.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

Matters Taken Out of the Orders of the Day.

There being no objection, the follow bills were taken out of the Orders of the Day and considered as follows:

The Senate Bill relative to the establishment of a Hingham means-tested property tax exemption (Senate, No. 2525),-- was read a third time.

Hingham,-- property tax exemption.

Pending the question on passing the bill to be engrossed, Mr. O'Connor moved to amend the bill in section 2 by striking out, in lines 15 and 16, the words "qualified for" and inserting in place thereof the following words:- "claimed";

In section 3, by striking out, in line 34, the word "qualified" and inserting in place thereof the following words:- "claimed";

In said section 3, by striking out the last sentence and inserting in place thereof the following sentence:-

"The total amount exempted by this act shall be: (i) allocated proportionally within the residential tax levy on all residential taxpayers; or (ii) funded by an appropriation or transfer from existing funds while not exceeding 1 per cent of the municipality's tax levy.";

In section 4, by striking out, in line 43, the words "Circuit Breaker tax credit" and inserting in place thereof the following words:- "claimed circuit breaker income tax credit"; and

By striking out section 5 and inserting in place thereof the following section:-

"SECTION 5. No exemption shall be granted under this act until the department of revenue certifies a residential tax rate for the applicable tax year where the total exemption amount is raised by: (i) a burden shift within the residential tax levy; or (ii) an appropriation or transfer from existing funds."

The amendment was adopted.

The bill (Senate, No. 2525, amended) was then passed to be engrossed. [For text of Senate Bill, printed as amended, see Senate, No. 2989].

Sent to the House for concurrence.

The Senate Bill authorizing the town of Middleborough to lease a certain parcel of land to the town of Plympton (Senate, No. 2907) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

Middleborough,-- land.

Pending the question on passing the bill to be engrossed, Mr. Pacheco moved to

amend the bill in section 3 by inserting after the word “for”, in line 9, the following word:- “passive”; and in said section 3, by inserting after the word “area”, in line 11, the following words:- “, to accommodate not more than 5 vehicles.”.

The amendment was adopted.

The bill (Senate, No. 2907, amended) was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the town of Arlington to establish a means tested senior citizen property tax exemption (House, No. 4477),-- was read a third time.

Arlington,-- senior tax exemption.

Pending the question on passing the bill to be engrossed, Ms. Friedman offered an amendment in section 3, by inserting after the word “all”, in line 31, the following word:- “residential”.

The amendment was adopted.

The bill, as amended, was then passed to be engrossed, in concurrence, with the amendment.

Sent to the House for concurrence in the amendment.

The House Bill authorizing the division of capital asset management and maintenance to amend a permanent right of way easement and to grant a drainage easement to the city of Marlborough (House, No. 5191) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Marlborough,-- drainage easement.

PAPERS FROM THE HOUSE.

A Bill in relation to the Town of Milford authorizing the hiring of a Chief of Police (House, No. 4320,-- on petition) [Local approval received],-- was read.

Milford,-- police chief.

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

A Bill designating a certain bridge in the town of Leicester as the John J. Binienda memorial bridge (House, No. 4867, amended,-- on petition) [Local approval received],-- was read.

Leicester,-- bridge naming.

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

A Bill designating a certain bridge in the town of Leicester as the Private First-Class Eugene Joseph Paranteau memorial bridge (House, No. 4868, amended,-- on petition) [Local approval received],-- was read.

Leicester,-- bridge naming.

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

Report of a Committee.

By Mr. Finegold, for the committee on Public Service, on petition (accompanied by bill, Senate, No. 2982), a Bill establishing a sick leave bank for Kathryn Price, an employee of the department of mental health (Senate, No. 2987).

Kathryn Price, ,-- sick leave.

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

Recess.

There being no objection, at one minute past twelve o'clock noon, the Chair (Mr. Brownsberger declared a recess subject to the call of the Chair; and at six minutes before one o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE.

Message from the Governor —Disapprovals and Reductions

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), which on Friday, December 4, 2020, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

General
Appropriation Bill.

The message (House, No. 5190) was read; and the Senate proceeded to reconsider several items, which had been disapproved or reduced in accordance with the provisions of the Constitution.

Item 2200-0100 (DEP Administration) was considered as follows:

DEP Administration.

2200-0100. For the operation of the department of environmental protection, including the environmental strike force, the bureau of planning and evaluation, the bureau of resource protection, the bureau of waste prevention, the Senator William X. Wall Experiment Station and a contract with the University of Massachusetts for environmental research; provided, that section 3B of chapter 7 of the General Laws shall not apply to fees established under section 18 of chapter 21A of the General Laws; provided further, that not later than February 3, 2021 the department shall report to the house and senate committees on ways and means detailing: (i) the status of hiring of additional staff; (ii) the historic staffing level of the department for the last 10 fiscal years; (iii) the number of enforcement actions for serious violations and fine collections compared to the previous 10 fiscal years; and (iv) recommendations for the additional resources needed to fulfill the department's enforcement responsibilities; provided further, that in order to facilitate an effective hiring process for new employees at the department, funds appropriated for this item shall not revert but shall be made available for this item in fiscal year 2022; provided further, that not less than \$38,000 shall be expended for the town of Sherborn for the continued position of a sustainability coordinator; provided further, that not less than \$27,000 shall be expended to enter into an agreement with OARS, Inc. to operate a water quality monitoring program in the Sudbury, Assabet and Concord rivers; and provided further, that not less than \$50,000 shall be expended by the Buzzards Bay Coalition, Inc., for a coastal water quality and natural resource monitoring program in Buzzards Bay and Vineyard Sound\$40,115,000.

The Governor reduced this item by \$6,875,705 and struck the following wording “; provided further, that not later than February 3, 2021 the department shall report to the house and senate committees on ways and means detailing: (i) the status of hiring of additional staff; (ii) the historic staffing level of the department for the last 10 fiscal years;

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(iii) the number of enforcement actions for serious violations and fine collections compared to the previous 10 fiscal years; and (iv) recommendations for the additional resources needed to fulfill the department’s enforcement responsibilities; provided further, that in order to facilitate an effective hiring process for new employees at the department, funds appropriated for this item shall not revert but shall be made available for this item in fiscal year 2022”.

The question on passing Item 2200-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes before one o’clock P.M., as follows, to wit (yeas 37 - nays 2) **[Yeas and Nays No. 316]:**

YEAS.

- | | |
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| 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.
DiZoglio, Diana
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G. | Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 37. |
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NAYS.

- | | |
|------------------|--------------------|
| Fattman, Ryan C. | Tran, Dean A. – 2. |
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The yeas and nays having been completed at three minutes before one o’clock P.M., Item 2200-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2260-8870 (Hazardous Waste Site Cleanup) was considered as follows:

Hazardous Waste Site Cleanup.

2260-8870. For the expenses of the hazardous waste cleanup and underground storage tank programs including, but not limited to, monitoring unlined landfills, notwithstanding section 4 of chapter 21J of the General Laws; provided, that the department of environmental protection shall provide the department of revenue with information necessary for the completion of the report required in item 1232- 0200 including, but not limited to, the number of tanks out of compliance with said chapter 21J.....\$14,789,058.

The Governor reduced this item by \$1,000,000 and struck the following wording “; provided, that the department of environmental protection shall provide the department of revenue with information necessary for the completion of the report required in item 1232-

0200 including, but not limited to, the number of tanks out of compliance with said chapter 21J”.

The question on passing Item 2260-8870, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes before one o'clock P.M., as follows, to wit (yeas 37 - nays 2) [Yeas and Nays No. 317]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Timilty, Walter F. |
| Finegold, Barry R. | Velis, John C. |
| Friedman, Cindy F. | Welch, James T. – 37. |
| Gobi, Anne M. | |

NAYS.

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| Tarr, Bruce E. | Tran, Dean A. – 2. |
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The yeas and nays having been completed at one minute before one o'clock P.M., Item 2260-8870, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2300-0101 (Riverways Protection and Access) was considered as follows:

Riverways Protection and Access.

2300-0101. For the division of ecological restoration and the riverways program and for the promotion of public access to rivers and wetland restoration, including grants to public and nonpublic entities.....\$2,600,000.

The Governor reduced this item by \$600,000.

After remarks, the question on passing Item 2300-0101, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes past one o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 318]:

YEAS.

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|---------------------|---------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| Boncore, Joseph A. | Jehlen, Patricia D. |
| Brady, Michael D. | Keenan, John F. |

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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.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at six minutes past one o'clock P.M., Item 2300-0101, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2810-0100 (State Parks and Recreation Operations) was considered as follows:

State Parks and
Recreation
Operations.

2810-0100. For the operation of the division of state parks and recreation; provided, that funds appropriated in this item shall be used to: (i) operate all of the division's parks, parkways, boulevards, roadways, bridges and related appurtenances under the care, custody and control of the division, flood control activities of the division, reservations, campgrounds, beaches and pools; (ii) oversee skating rinks; and (iii) protect and manage the division's lands and natural resources, including the forest and parks conservation services and the bureau of forestry development; provided further, that all properties that were open in fiscal year 2020 shall be open in fiscal year 2021; provided further, that the crossing guards located at department of conservation and recreation intersections shall continue to perform the duties where state police previously performed such duties; provided further, that the division may issue grants to public and nonpublic entities from this item; provided further, that up to \$3,000,000 may be used to support the costs of snow and ice removal; provided further, that the rinks under the control of the department shall remain open and staffed for the full rink season; provided further, that the department of conservation and recreation shall submit a report to the house and senate committees on ways and means not later than February 3, 2021, on the utilization of funds towards addressing understaffed parks, extending camping seasons, hiring additional park support operations crew members and hiring additional engineers to plan and build capital improvement projects; provided further, that additional funds shall be expended to address the needs of state parks in all regions of the commonwealth; provided further, that not later than February 3, 2021 the department shall report to the house and senate committees on ways and means on: (a) the status of hiring for additional staffing; (b) the staffing levels for the previous 10 fiscal years; and (c) the

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average staffing level at each park; provided further, that not less than \$250,000 shall be expended for the continued development and implementation of an asset management modernization program within the department with the goal of adequate stewardship and budgeting; provided further, that funds shall be expended for additional staffing, consulting and training for the program; provided further, that not later than February 1, 2021, the department shall report to the house and senate committees on ways and means on the progress of the program including, but not limited to: (1) the status of hiring for any additional staffing required for full implementation and adoption of the plan throughout the department; (2) the contracts with outside consulting; (3) the progress of planned and delivered training; (4) the status of the integration and utilization of geographic information system data into the program; (5) the status of integrating a functional preventative maintenance capability; (6) an overview of the defined program metrics and weekly report used to manage performance; (7) anticipated cost savings, and, where applicable, additional expenses resulting from the full scale implementation of the program including, but not limited to, preventative, corrective and deferred maintenance costs; (8) the status of the full implementation and adoption of the plan throughout the department, including any department facilities where full implementation has not yet occurred; and (9) any other significant changes in the program resulting from its full scale implementation across the department; provided further, that not less than \$100,000 shall be expended for improvements and maintenance of United States highway route 1 from the Marine Corps Rotary in the town of Dedham to Spring street in the West Roxbury section of the city of Boston; provided further, that not less than \$25,000 shall be expended to the town of Milton for the refurbishing of the Turner’s pond multi-use trail in the town of Milton; provided further, that not less than \$250,000 shall be expended for the Blue Hills Trailside Museum; provided further, that not less than \$50,000 shall be expended for a Veterans’ Park in the city of Lowell; provided further, that not less than \$50,000 shall be expended for the Blue Hill Observatory and Science Center; provided further, that not less than \$100,000 shall be expended to update and modernize the many parks and recreation spaces in the city of Beverly; provided further, that not less than \$10,000 shall be provided to clear the remaining area of Johnsons Pond in Groveland for boating and fishing; provided further, that not less than \$25,000 shall be expended for the maintenance of Red Rock Park on Lynn Shore Drive, in the city of Lynn; provided further, that not less than \$75,000 shall be expended for parks and playground projects in the Highlands area of Lowell; provided further, that not less than \$75,000 shall be expended for facility and grounds renovations at West Middle School in the city of Brockton; provided further, that not less than \$75,000 shall be expended for the purpose of tree re-planting in Worcester; provided further, that not less than \$250,000 shall be expended to the city of Malden for improvements to parks and playgrounds to expand access to open spaces during the COVID-19 pandemic including, but not limited to, the Devir Park Revitalization Project; and provided further, that not less than \$200,000 shall be expended for increased opportunities for safe outdoor recreation programs in the town of West Springfield
.....\$51,535,000.

The Governor reduced this item by \$2,364,717 and struck the following wording “; provided further, that all properties that were open in fiscal year 2020 shall be open in fiscal year 2021”.

After remarks, the question on passing Item 2810-0100, contained in section 2, in concurrence, the reduction and objections of His Excellency the Governor to the contrary

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notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nine minutes past one o'clock P.M., as follows, to wit (yeas 38 - nays 1) **[Yeas and Nays No. 319]**:

YEAS.

Barrett, Michael J.	Hinds, Adam G.
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.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Friedman, Cindy F.	Velis, John C.
Gobi, Anne M.	Welch, James T. – 38.

NAYS.

Tran, Dean A. – **1.**

The yeas and nays having been completed at ten minutes past one o'clock P.M., Item 2810-0100, contained in section 2, stands, in concurrence, notwithstanding the reduction and objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 1107-2501 (Disabled Persons Protection Commission) was considered as follows:

Disabled Persons
Protection
Commission.

1107-2501. For the operation of the disabled persons protection commission including, but not limited to, the costs of maintaining a computerized registry system of persons who have been substantiated for registrable abuse of a person with an intellectual or developmental disability; provided, that the commission shall facilitate compliance by the department of mental health and the department of developmental services with uniform investigative standards; provided further, that not later than the last day of each quarter, the commission shall report to the house and senate committees on ways and means on the number of claims of abuse by caretakers made by employees or contracted service employees of the department of developmental services, the department of mental health and the Massachusetts rehabilitation commission; provided further, that the report shall include the number of: (i) substantiated claims; (ii) unsubstantiated claims; and (iii) false claims reported as a result of intentional and malicious action; provided further, that not later than March 1, 2021, the commission shall issue a brief update to its fiscal year 2020 report detailing staffing changes and planned staffing changes from fiscal year 2018 through fiscal year 2021, and analyzing the effect of those changes on operational efficiency and caseload reduction; provided further,

that the commission shall detail a 2 year hiring plan based on the appropriation provided in this item, and identify any remaining staffing needs within the agency necessary to reduce or eliminate backlogs with an estimate of the cost of those needs; provided further, that said update shall be provided to the house and senate committees on ways and means and to the joint committee on children, families and persons with disabilities; provided further, that all persons who call the commission's 24-hour hotline shall be provided with the opportunity to elect that the call not be recorded; and provided further, that in order to facilitate an effective hiring process for new employees required by the commission, funds appropriated for this item shall not revert but shall be made available for this item in fiscal year 2022\$7,896,579.

The Governor reduced this item by \$2,102,742.

After remarks, the question on passing Item 1107-2501, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twelve minutes past one o'clock P.M., as follows, to wit (yeas 38— nays 1) [**Yeas and Nays No. 320**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 38. |

NAYS.

- Tran, Dean A. – 1.

The yeas and nays having been completed at fourteen minutes past one o'clock P.M., Item 1107-2501, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0950-0000 (Commission on the Status of Women) was considered as follows:

Commission on the Status of Women.

0950-0000. For the commission on the status of women, established under section 66 of chapter 3 of the General Laws.....\$206,473.

The Governor reduced this item by \$8,282.

After remarks, the question on passing Item 0950-0000, contained in section 2, in

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concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at sixteen minutes past one o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 321**]:

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. |
| Crichton, Brendan P. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. — 38. |

NAYS.

- Tran, Dean A. — **1.**

The yeas and nays having been completed at seventeen minutes past one o'clock P.M., Item 0950-0000, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0950-0050 (Commission on Gay, Lesbian and Transgender Youth) was considered as follows:

Commission on Gay,
Lesbian and
Transgender Youth.

0950-0050. For the commission on lesbian, gay, bisexual, transgender, queer and questioning youth established under section 67 of chapter 3 of the General Laws; provided, that funds shall be used to address issues related to the implementation of the commonwealth's antibullying law under section 370 of chapter 71 of the General Laws\$800,000.

The Governor reduced this item by \$300,000.

After remarks, the question on passing Item 0950-0050, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-one minutes past one o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 322**]:

YEAS.

- | | |
|--------------------------|---------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| Boncore, Joseph A. | Jehlen, Patricia D. |
| Brady, Michael D. | Keenan, John F. |
| Brownsberger, William N. | Kennedy, Edward J. |

Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
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.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at twenty-three minutes past one o'clock P.M., Item 0950-0050, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0950-0080 (Commission on the Status of Asian Americans) was considered as follows:

Commission on the
Status of Asian
Americans.

0950-0080. For the commission on the status of citizens of Asian descent established under section 68 of chapter 3 of the General Laws.....\$170,000.

The Governor reduced this item by \$20,000.

The question on passing Item 0950-0080, in concurrence, contained in section 2, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-four minutes past one o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 323**]:

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
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.

Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.

UNCORRECTED PROOF.

Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at twenty-five minutes past one o'clock P.M., Item 0950-0080, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Engrossed Bill.

The President in the Chair, an engrossed Bill relative to justice, equity and accountability in law enforcement in the Commonwealth (see Senate, No. 2963) (which originated in the Senate), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the President and laid before the Governor for his approbation.**

Bill laid before the Governor.

Committee of Conference Report.

Ms. Friedman, for the committee of conference on the disagreeing votes of the two branches, with reference to the House amendments to the Senate Bill putting patients first (Senate, No. 2796) (*amended by the House* by striking out all after the enacting clause and inserting in place thereof the text of House document numbered 4888),-- reported, a "Bill promoting a resilient health care system that puts patients first" (Senate, No. 2984).

Telehealth.

The rules were suspended, on motion of Mr. Tarr, and the report was considered forthwith.

After remarks, the question on acceptance of the report of the committee of conference was determined by a call of the yeas and nays, at seven minutes before two o'clock P.M., on motion of Ms. Friedman, as follows, to wit (yeas 40 - nays 0) [**Yeas and Nays No. 324**]:

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
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Tran, Dean A.

Gobi, Anne M.
Hinds, Adam G.

Velis, John C.
Welch, James T. – 40.

NAYS – 0.

The yeas and nays having been completed at three minutes before two o'clock P.M., the report was accepted.

PAPERS FROM THE HOUSE.

A Bill authorizing the City of Medford to utilize funds received from the surrounding community agreement entered into between the City of Medford and Wynn MA LLC for the purposes set forth in the agreement (House, No. 4645, amended,-- on House, No. 4439) [Local approval received on House, No. 4439],-- was read.

Medford,--
community
agreement.

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

Message from the Governor — Disapprovals and Reductions

General Appropriations Bill.

Mr. Brownsberger in the Chair, a message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), which on Friday, December 4, 2020, had been laid before the Governor for his approbation,-- came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

General
Appropriation Bill.

The message (House, No. 5190) was read; and the Senate proceeded to reconsider several items, which had been disapproved or reduced in accordance with the provisions of the Constitution.

Item 1231-1000 (Sewer Rate Relief Funding) was considered as follows:

Sewer Rate Relief
Funding.

1231-1000. For the Commonwealth Sewer Rate Relief Fund, established under section 2Z of chapter 29 of the General Laws.....\$1,500,000.

The Governor having disapproved said item.

After remarks, the question on passing Item 1231-1000, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at two minutes past two o'clock P.M., as follows, to wit (yeas 38 - nays 1) [**Yeas and Nays No. 325**]:

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.

Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.

UNCORRECTED PROOF.

Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – **38.**

NAYS.

Tran, Dean A. – **1.**

The yeas and nays having been completed at four minutes past two o'clock P.M., Item 1231-1000, contained in section 2, stands, in concurrence, notwithstanding disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000-9402 (Talking Book Library) was considered as follows:

Talking Book
Library.

7000-9402. For the talking book library at the Worcester public library
.....\$482,264.

The Governor reduced this item by \$14,047.

The question on passing Item 7000-9402, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at five minutes past two o'clock P.M., as follows, to wit (yeas 38 — nays 1) **[Yeas and Nays No. 326]:**

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

NAYS.

Tran, Dean A. – **1.**

The yeas and nays having been completed at six minutes past two o'clock P.M.,

Item 7000-9402, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000-9406 (Talking Book Program) was considered as follows:

Talking Book Program.

7000-9406. For the Perkins Braille and Talking Book Library in the city known as the town of Watertown, including the operation of the machine lending agency\$2,745,774.

The Governor reduced this item by \$79,974.

The question on passing Item 7000-9406, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes past two o'clock P.M., as follows, to wit (yeas 38 — nays 1) **[Yeas and Nays No. 327]:**

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. — 38. |

NAYS.

- Tran, Dean A. — **1.**

The yeas and nays having been completed at nine minutes past two o'clock P.M., Item 7000-9406, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000-9506 (Telecommunication Expenses of Automated Resource) was considered as follows:

Telecommunication Expenses of Automated Resource.

7000-9506. For the technology and automated resource sharing networks.....\$4,386,770.

The Governor reduced this item by \$385,516.

After remarks, the question on passing Item 7000-9506, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I,

UNCORRECTED PROOF.

Section I, Article II, of the Constitution, at twelve minutes past two o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 328**]:

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. |
| Crichton, Brendan P. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. — 38. |

NAYS.

- Tran, Dean A. — **1.**

The yeas and nays having been completed at fourteen minutes past two o'clock P.M., Item 7000-9506, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7000-9508 (Center for the Book) was considered as follows:

Center for the Book.

7000-9508. For the Massachusetts Center for the Book, Inc., chartered as the Commonwealth Affiliate of the Center for the Book in the Library of Congress; provided, that the Massachusetts Center for the Book, Inc. shall continue its work as a public-private partnership.....\$225,000.

The Governor reduced this item by \$25,000.

After remarks, the question on passing Item 7000-9508, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at sixteen minutes past two o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 329**]:

YEAS.

- | | |
|--------------------------|---------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. |

UNCORRECTED PROOF.

Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at seventeen minutes past two o'clock P.M., Item 7000-9508, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4003-0122 (MA Office for Refugee & Immigrants) was considered as follows:

MA Office for
Refugee &
Immigrants.

4003-0122. For a citizenship for new Americans program to assist legal permanent residents of the commonwealth in becoming citizens of the United States; provided, that the office for refugees and immigrants shall administer the program; provided further, that the program funded under this item shall provide assistance to persons who are within 3 years of eligibility to become citizens of the United States; provided further, that services shall include: (i) English for Speakers of Other Languages/civics classes; (ii) citizenship application assistance; (iii) interview preparation; and (iv) support services including, but not limited to, interpretation and referral services; provided further, that persons who would qualify for benefits under chapter 118A of the General Laws but for their status as legal noncitizens shall be given the highest priority for services; provided further, that persons who currently receive state-funded benefits which could be replaced in whole or in part by federallyfunded benefits if those persons become citizens shall be given priority for services; provided further, that funds may be expended for the programmatic and administrative support of the office's refugee and immigrant services; provided further, that not less than \$25,000 shall be expended to Casa Dominicana Inc. to assist in citizenship education, citizenship application assistance, ESL classes, and computer training for low-income adults; provided further, that not less than \$25,000 shall be expended to the Lawrence Family Development, Inc. to assist in citizenship education, citizenship application assistance, ESL classes and computer training for low-income adults; provided further, that not less than \$90,000 shall be expended to the New American Association of Massachusetts, Inc. in the city of Lynn; and provided further, that not less than \$75,000 shall be expended for the Immigrants Assistance Center, Inc. to provide citizenship and workforce readiness programming in the city of New Bedford.....\$1,741,575.

The Governor reduced this item by \$500,000.

After remarks, the question on passing Item 4003-0122, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I,

UNCORRECTED PROOF.

Section I, Article II, of the Constitution, at nineteen minutes past two o'clock P.M., as follows, to wit (yeas 38 — nays 1) [**Yeas and Nays No. 330**]:

YEAS.

Barrett, Michael J.	Hinds, Adam G.
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.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Friedman, Cindy F.	Velis, John C.
Gobi, Anne M.	Welch, James T. — 38.

NAYS.

Tran, Dean A. — **1.**

The yeas and nays having been completed at twenty-one minutes past two o'clock P.M., Item 4003-0122, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4403-2000 (Transitional Aid to Families with Dependent Children) was considered as follows:

Transitional Aid to Families with Dependent Children.

4403-2000. For a program of transitional aid to families with dependent children; provided, that the payment standard for monthly benefits for the program not including the rental allowance shall be increased by 10 per cent above the payment standard in effect in fiscal year 2020; provided further, that in fiscal year 2021, said 10 per cent increase shall take effect beginning with the month of January 2021; provided further, that the need standard shall be equal to the payment standard established under the provisions of this item; provided further, that not less than \$9,420,000 shall be expended to fund said increase; provided further, that the payment standard and need standard for fiscal year 2022 shall be not less than the standards set forth in this item; provided further, that the department shall notify all recipients of this increase, and that the increase will be deemed a permanent increase continuing past July 1, 2021; provided further, that not later than January 11, 2021, the department shall issue a report to the house and senate committees on ways and means and the joint committee on children, families, and persons with disabilities, setting forth, at minimum, the number of recipients receiving this increase, the final amount of the increase, and an estimate of the full cost of annualizing the increase in fiscal year 2022; provided further, that the department of transitional assistance shall notify parents under 20 years of age who are receiving benefits from

the program of the requirements of clause (2) of subsection (i) of section 110 of chapter 5 of the acts of 1995 or any successor law; provided further, that a \$40 per month rental allowance shall be paid to households incurring a rent or mortgage expense and not residing in public or subsidized housing; provided further, that a nonrecurring children's clothing allowance of \$350 shall be provided to each child eligible under this program in September 2020; provided further, that the children's clothing allowance shall be included in the standard of need for the month of September 2020; provided further, that benefits under this program shall not be available to those families in which a child has been removed from the household under a court order after a care and protection hearing under chapter 119 of the General Laws, or to adult recipients otherwise eligible for transitional aid to families with dependent children but for the temporary removal of the dependent child or children from the home by the department of children and families under department procedures; provided further, that not less than \$779,058 shall be expended for transportation benefits for recipients of transitional aid to families with dependent children; provided further, that any person experiencing homelessness, who: (i) has no established place of abode, or lives in a temporary emergency shelter; and (ii) is otherwise eligible under this item and chapter 118 of the General Laws, shall receive the same payment rate as recipients who incur shelter costs including, but not limited to, rent or a mortgage; provided further, that the department shall promulgate or revise any such rules and regulations necessary to implement this provision; provided further, that notwithstanding section 2 of said chapter 118 or any other general or special law to the contrary, the department shall render aid to pregnant women with no other eligible dependent children only if it has been medically verified that the child is expected to be born within the month the payments are to be made or within the 3-month period after the month of payment and who, if the child had been born and was living with that parent in the month of payment, would be categorically and financially eligible for transitional aid to families with dependent children benefits; provided further, that certain families that suffer a reduction in benefits due to a loss of earned income and participation in retrospective budgeting may receive a supplemental benefit to compensate them for the loss; provided further, that the department shall, to the extent feasible within the existing appropriation and funding from other sources, review its disability standards to determine the extent to which such standards reflect the current medical and vocational criteria; provided further, that not less than 75 days before any changes to the disability standards are proposed, the department shall report to the house and senate committees on ways and means and the joint committee on children, families and persons with disabilities; provided further, that at the time of application and on a semi-annual basis, the department shall provide oral and written notification to all recipients of their child care benefits; provided further, that the notification shall include the full range of child care options available, including center-based child care, family-based child care and in-home relative child care; provided further, that the notification shall detail available child care benefits for current and former recipients, including employment and training benefits and transitional benefits; provided further, that the notice shall also advise recipients of the availability of supplemental nutrition assistance program benefits; provided further, that in promulgating, amending or rescinding its regulations relative to eligibility for, or levels of, benefits under the program, the department shall take into account the amounts available to it for expenditure from this item so as not to exceed this appropriation; provided further, that not less than \$1,000,000 shall be expended for cash and transportation benefits for newly employed

transitional aid to families with dependent children clients for a period not to exceed 12 months to assist them with short-term self-sufficiency; provided further, that notwithstanding any general or special law to the contrary, the department shall calculate benefits provided under this item in the same manner as the previous fiscal year; provided further, that the department’s calculation of benefits shall not preclude the department from making eligibility or benefit changes that lead to an increase in eligibility or benefits; provided further, that not less than 75 days before adopting eligibility or benefit changes, the department shall report to the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities and the clerks of the house of representatives and senate; and provided further, that the report shall include the text of, basis and reasons for the proposed changes.....\$240,967,007.

The Governor struck the following wording “; provided further, that the payment standard and need for fiscal year 2022 shall be not less than the standards set forth in this item” and “; and that the increase will be deemed a permanent increase continuing past July 1, 2021” and “; the final amount of the increase, and an estimate of the full cost of annualizing the increase in fiscal year 2022”.

After remarks, the question on passing Item 4403-2000, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes past two o’clock P.M., as follows, to wit (yeas 38 - nays 1) [**Yeas and Nays No. 331**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 38. |

NAYS.

- Tran, Dean A. – 1.

The yeas and nays having been completed at twenty-four minutes past two o’clock P.M., Item 4403-2000, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 4408-1000 (Emergency Aid to the Elderly, Disabled, and Children) was considered as follows:

Emergency Aid to the Elderly, Disabled, and Children.

4408-1000. For a program of cash assistance to certain residents of the commonwealth, entitled emergency aid to the elderly, disabled and children, who are found by the department of transitional assistance to be eligible for the aid under chapter 117A of the General Laws and regulations promulgated by the department and subject to the limitations of appropriation for such purpose; provided, that the recipient shall not be subject to sponsor income deeming or related restrictions; provided further, that rates for residential care facilities and rest homes effective July 1, 2020, established under section 13D of chapter 118E of the General Laws, shall cumulatively total not less than \$1,200,000 more than rates effective January 1, 2020; provided further, that in implementing the program for fiscal year 2021, the payment standards for monthly benefits for the program shall be increased by 10 per cent above the payment standard in effect in fiscal year 2020, and the department shall include all eligibility categories permitted in this item at that payment standard; provided further, that any person experiencing homelessness, who: (i) has no established place of abode, or lives in a temporary emergency shelter; and (ii) is otherwise eligible under this item and said chapter 117A, shall receive the same payment rate as recipients who incur shelter costs including, but not limited to, rent or a mortgage; provided further, that the department shall promulgate or revise any rules and regulations necessary to implement this provision; provided further, that the department may provide benefits to persons age 65 or older who have applied for benefits under chapter 118A of the General Laws, to persons suffering from a medically-determinable impairment or combination of impairments which is expected to last for a period as determined by department regulations and which substantially reduces or eliminates such individuals' capacity to support themselves and which has been verified by a competent authority, to certain persons caring for a disabled person, to otherwise eligible participants in the vocational rehabilitation program of the Massachusetts rehabilitation commission, to dependent children who are ineligible for benefits under both chapter 118 of the General Laws and the separate program under section 210 of chapter 43 of the acts of 1997 and to parents or other caretakers of dependent children who are ineligible under said chapter 118 and under said separate program; provided further, that no person incarcerated in a correctional institution shall be eligible for benefits under the program; provided further, that no funds shall be expended from this item for the payment of expenses associated with any medical review team, other disability screening process or costs associated with verifying disability for this program; provided further, that the department shall adopt emergency regulations under chapter 30A of the General Laws to implement the changes to the program required by this item promptly and within the appropriation; provided further, that in promulgating, amending or rescinding its regulations with respect to eligibility or benefits, including the payment standard, medical benefits and any other benefits under this program, the department shall take into account the amount available to it for expenditure by this item so as not to exceed the amount appropriated in this item; provided further, that the department may promulgate emergency regulations under said chapter 30A to implement these eligibility or benefit changes or both; provided further, that nothing in this item shall be construed to create any right accruing to recipients of the former general relief program; provided further, that reimbursements collected from the Social Security Administration on behalf of former clients of the emergency aid to the elderly, disabled and children

program or unprocessed payments from the program that are returned to the department shall be credited to the General Fund; provided further, that notwithstanding any general or special law to the contrary, not less than 75 days before adopting any eligibility or benefit changes, the commissioner shall file with the house and senate committees on ways and means, the joint committee on children, families and persons with disabilities and the clerks of the senate and house of representatives a detailed and comprehensive report setting forth the text of, basis and reasons for the proposed changes; provided further, that the report shall state exactly which components of the current benefit package will be altered and the department’s most accurate assessment of the effects of benefit or eligibility changes upon recipient families; provided further, that not less than \$3,600,000 shall be expended on the 10 per cent increase in the payment standard for monthly benefits required by this item; provided further, that in fiscal year 2021, said 10 per cent increase shall take effect beginning with the month of January 2021; provided further, that the payment standard and need standard for fiscal year 2022 shall be not less than the standards set forth in this item; provided further, that the department shall notify all recipients of this increase, and that the increase will be deemed a permanent increase continuing past July 1, 2021; and provided further, that not later than January 11, 2021, the department shall issue a report to the house and senate committees on ways and means and the joint committee on children, families, and persons with disabilities, setting forth, at minimum, the number of recipients receiving this increase, the final amount of the increase, and an estimate of the full cost of annualizing the increase in fiscal year 2022.....\$89,983,226.

The Governor struck the following wording “; provided further, that the payment standard and need standard for fiscal year 2022 shall be not less than the standards set forth in this item” and “; and that the increase will be deemed a permanent increase continuing past July 1, 2021”.

After remarks, the question on passing Item 4408-1000, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-six minutes past two o’clock P.M., as follows, to wit (yeas 38 – nays 1) [**Yeas and Nays No. 332**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |

Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at twenty-eight minutes past two o'clock P.M., Item 4408-1000, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Report of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill to protect children, families, and firefighters from harmful flame retardants (House, No. 4900),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2985; and by striking out the title and inserting the following title "An Act to protect children and families from harmful flame retardants".

Flame retardants.

There being no objection, the rules were suspended, on motion of Mr. Tarr, and the bill was read a second time.

Pending the question on adoption of the Ways and Means amendment, Mr. Rodrigues moved to amend the pending Ways and Means amendment in section 1, by striking out, in lines 77 and 78, the words "or (ii) the sale or purchase of any previously-owned product containing a chemical flame retardant prohibited under this section" and inserting in place thereof the following words:- "(ii) the sale or purchase of any previously-owned product containing a chemical flame retardant prohibited under this section; (iii) electronic devices; and (iv) electronic components of covered products".

The amendment was adopted and the bill was amended, as recommended by the committee on Ways and Means.

The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendment [for text of Senate, No. 2985, reprinted as amended, see Senate, No. 2988).

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill providing for eviction protections during the COVID-19 pandemic emergency (see House, No. 5181), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

Eviction protections,-
- COVID-19.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

An engrossed Bill relative to regional tourism council grant distribution (see House, No. 5186, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence,

Regional tourism
councils,-- grants.

by a vote of 3 to 0.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

An engrossed Bill establishing a federal coronavirus relief funds website (see House, No. 5187), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

Coronavirus relief,--
website

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

An engrossed Bill providing for a long term and congregate care coronavirus transmission reduction guidance report (see House, No. 5188), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

Coronavirus
transmission,--
report.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

An engrossed Bill providing for a department of children and families school attendance report (see House, No. 5189), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 2 to 0.

DCF,-- school
attendance.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

Recess.

There being no objection, at sixteen minutes before three o'clock P.M., the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at twenty-six minutes past four o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill establishing a sick leave bank for Debra Hill, an employee of the department of mental health (see House, No. 5036), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

Debra Hill,-- sick
leave.

The bill was signed by the Acting President (Mr. Brownsberger) and sent to the House for enactment.

Engrossed Bills.

An engrossed Bill relative to regional tourism council grant distribution (see House,

Bill again laid before
the Governor.

No. 5186, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted and signed by the Acting President (Mr. Brownsberger) and again laid before the Governor for his approbation.**

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

Providing for eviction protections during the COVID-19 pandemic emergency (see House, No. 5181);

Establishing a federal coronavirus relief funds website (see House, No. 5187);

Providing for a long term and congregate care coronavirus transmission reduction guidance report (see House, No. 5188); and

Providing for a department of children and families school attendance report (see House, No. 5189).

Bills again laid before the Governor.

An engrossed Bill further regulating the granting of an additional license for the sale of alcoholic beverages not to be drunk on the premises in the city of Marlborough (see House, No. 5047) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Message from the Governor — Disapprovals and Reductions

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), which on Friday, December 4, 2020, had been laid before the Governor for his approbation,-- came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

General Appropriation Bill.

The message (House, No. 5190) was read; and the Senate proceeded to reconsider several items, which had been disapproved or reduced in accordance with the provisions of the Constitution.

Item 7003-0606 (Massachusetts Manufacturing Extension Partnership) was considered as follows:

MA Manufacturing Extension Partnership.

7003-0606. For the operation and maintenance of the Massachusetts manufacturing extension partnership to maintain and promote manufacturing as an integral part of the economy, and for programs designed to assist small and mid-sized manufacturing companies.....\$2,000,000.

The Governor having disapproved said item.

After remarks, the question on passing Item 7003-0606, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes before five o'clock P.M.,

as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 333]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. |
| Crichton, Brendan P. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rausch, Rebecca L. |
| Eldridge, James B. | Rodrigues, Michael J. |
| Fattman, Ryan C. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. — 38. |

NAYS.

- Tran, Dean A. — 1.

The yeas and nays having been completed at twenty-one minutes before five o'clock P.M., Item 7003-0606, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7003-1207 (Massachusetts AFL-CIO Workforce Development Programs) was considered as follows:

MA AFL-CIO
Workforce
Development
Programs.

7003-1207. For the operation of the Massachusetts AFL-CIO Workforce Development Programs, Inc. to provide dislocated worker assistance, layoff aversion, and job training with a focus on pathways to quality careers through traditional and non-traditional apprentice and pre-apprenticeship training.....\$150,000.

The Governor having disapproved said item.

After remarks, the question on passing Item 7003-1207, contained in section 2, in concurrence, the disapproval of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nineteen minutes before five o'clock P.M., as follows, to wit (yeas 38 — nays 1) [Yeas and Nays No. 334]:

YEAS.

- | | |
|--------------------------|---------------------|
| Barrett, Michael J. | Hinds, Adam G. |
| 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. |

UNCORRECTED PROOF.

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

Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at eighteen minutes before five o'clock P.M., Item 7003-1207, contained in section 2, stands, in concurrence, notwithstanding the disapproval of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7007-0952 (Commonwealth Zoological Corporation) was considered as follows:

Commonwealth
Zoological
Corporation.

7007-0952. For the operation of the Commonwealth Zoological Corporation established under chapter 92B of the General Laws; provided, that funds appropriated in this item shall be expended to promote private fundraising, achieve self-sufficiency and serve as a catalyst for urban economic development and job opportunities for local residents; provided further, that the corporation shall take all steps necessary to increase the amount of private funding available for the operation of the zoos; provided further, that funding in this item shall not be transferred through interdepartmental service agreements; provided further, that not later than February 1, 2021, the corporation shall report to the house and senate committees on ways and means on the status of, and amounts collected from, the private fundraising and enhanced revenue efforts identified in the draft Massachusetts Zoos Business and Operations Plan dated December 1996; provided further, that funds may be expended on a matching program to encourage private and corporate donations to support the Franklin Park Zoo and the Walter D. Stone Memorial Zoo; provided further, that not less than \$125,000 shall be expended for the operation of the Zoo in Forest Park and Education Center in the city of Springfield, including needs resulting from impacts of the 2019 novel coronavirus pandemic; and provided further, that not less than \$500,000 shall be made available for zoos throughout the commonwealth that are not under the purview of the Commonwealth Zoological Corporation\$5,225,000.

The Governor reduced this item by \$600,000.

After remarks, the question on passing Item 7007-0952, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at sixteen minutes before five o'clock P.M., as follows, to wit (yeas 37 — nays 2) [**Yeas and Nays No. 335**]:

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
 DiDomenico, Sal N.
 DiZoglio, Diana
 Eldridge, James B.
 Feeney, Paul R.
 Finegold, Barry R.
 Friedman, Cindy F.
 Gobi, Anne M.
 Hinds, Adam G.

Jehlen, Patricia D.
 Keenan, John F.
 Kennedy, Edward J.
 Lesser, Eric P.
 Lewis, Jason M.
 Lovely, Joan B.
 Montigny, Mark C.
 Moore, Michael O.
 Moran, Susan L.
 O'Connor, Patrick M.
 Pacheco, Marc R.
 Rausch, Rebecca L.
 Rodrigues, Michael J.
 Rush, Michael F.
 Tarr, Bruce E.
 Timilty, Walter F.
 Velis, John C.
 Welch, James T. – 37.

NAYS.

Fattman, Ryan C.

Tran, Dean A. – 2.

The yeas and nays having been completed at fourteen minutes before five o'clock P.M., Item 7007-0952, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

PAPERS FROM THE HOUSE.

The engrossed Bill promoting a resilient health care system that puts patients first (see Senate, No. 2984),-- came from the House, passed to be engrossed, in concurrence, *with an amendment* inserting before the enacting clause the following emergency preamble:

Telehealth.

“*Whereas*, the deferred operation of this act would tend to defeat its purpose, which is to promote forthwith a resilient health care system that puts patients first, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The rules were suspended, on motion of Ms. Friedman, and the House amendment was adopted, in concurrence (as corrected BTR).

Engrossed Bills Returned with Recommendation of Amendment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to medical specialty camp medication administration (see House, No. 5182) [being the text contained in Section 90 of the General Appropriation Bill (see House, No. 5164)] [for message, see Attachment F of House, No. 5190],-- came from the House with endorsement that the House *rejected* the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading).

Medication administration,-- camp.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Rodrigues, and, the Governor’s amendment was considered forthwith.

After remarks, on motion of the same Senator, the Governor’s amendment was rejected, in concurrence.

Sent to the House for re-enactment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to regional transit authority funding distribution (see House, No. 5183) [being the text contained in Section 93 of the General Appropriation Bill (see House, No. 5164)] [for message, see Attachment G of House, No. 5190],-- came from the House with endorsement that the House *rejected* the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading).

Regional transit authority,-- funding distribution.

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Rodrigues, and the Governor's amendment was considered forthwith.

After remarks, on motion of the same Senator, the Governor's amendment was rejected, in concurrence.

Sent to the House for re-enactment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill providing for early voting by mail (see House, No. 5184) [being the text contained in Section 99 of the General Appropriation Bill (see House, No. 5164)] [for message, see House, No. Attachment H of House, No. 5190],-- came from the House with endorsement that the House adopted the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading), as follows:

Voting by mail.

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

“(a) For any annual or special municipal or state primary or election held on or before March 31, 2021, any person taking precautions related to COVID-19 in response to a declared state of emergency or guidance from a medical professional, local or state health official or any civil authority shall be deemed to be unable to cast their vote in person at a polling location by reason of physical disability.

(b) Notwithstanding any general or special law to the contrary, subsection (c) of section 91B of chapter 54 of the General Laws shall apply to voters who have been instructed by a medical professional or a local or state health official to self-quarantine in their home beginning after noon on the seventh day before any annual or special municipal or state primary or election held on or before March 31, 2021 and such voters may designate their home address for delivery of the ballot.

(c) Notwithstanding section 25B of said chapter 54 or any other general or special law to the contrary, any eligible voter may vote early by mail or as prescribed herein for any annual or special municipal or state primary or election held on or before March 31, 2021.

(d) Any qualified voter wanting to early vote by mail may file with their local election official an application for an early voting ballot. 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. Local election officials shall send early voting by mail ballots to those who have applied as soon as ballots are available. No application shall be deemed to be seasonably filed unless it is received in the office of the local election official before 5 P.M. on the fourth business day before the date on which the election is held.

(e) Local election officials may substitute absentee ballots for early voting ballots for those voters requesting to vote early by mail in municipal elections. An early voting ballot or absentee ballot substituted for an early voting ballot, along with an envelope bearing an affidavit as set forth in said section 25B of said chapter 54, shall be provided to each qualified voter who participates in early voting by mail.

(f) The local election officials 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.

(g) The counting of early voting ballots shall be consistent with said section 25B of said chapter 54 and related regulations to the extent practicable. All envelopes referred to in this act shall be retained with the ballots cast at the election and shall be preserved and destroyed in the manner provided by law for the retention, preservation or destruction of official ballots.

(h)(1) A voter in receipt of an early voting ballot for any election pursuant to this act may complete and return the ballot by: (i) delivering it in person to the office of the appropriate city or town clerk; (ii) dropping it in a secured municipal drop box; or (iii) mailing it to the appropriate city or town clerk.

(2) All early voting ballots submitted by mail, delivered in person to the office of the city or town clerk or returned to a secured municipal drop box as provided by this act shall be received by the city or town clerk before the hour fixed for closing the polls on the day of the election.

(i) Notwithstanding section 24 of said chapter 54 or any other general or special law to the contrary, the select board, board of selectmen, town council or city council may, by recorded and public vote, change any polling place to be used at the election not less than 20 days prior to the date of the election if it is determined that the public convenience or public health would be better served. If the select board, board of selectmen or town council determines that the public convenience or public health would be better served, they may house all polling places in a single building within the municipality if such building is suitably equipped; provided, however, that alcoholic beverages shall not be served or consumed in that portion of a building used as a polling place, during voting hours or while ballots are being counted therein. In cities, the city council may designate polling places in non-adjacent precincts if they determine the public convenience or public health would be better served. In making a decision to change a polling place, the select board, board of selectmen, town council or city council shall evaluate and report on whether such change would have a disparate, adverse impact on access to the polls on the basis of race, national origin, disability, income or age and, not later than 3 days prior to changing a polling place, shall make publicly available on its website and at the office of the town or city clerk a report on its evaluation. When the polling places have been designated pursuant to this act, the board of registrars shall post on the municipal website and at other such places as it may determine, a description of the polling places and shall notify voters by using an electronic means, to the extent available, such as via email or reverse 911 call.

(j) Notwithstanding section 29 of chapter 53 of the General Laws, sections 11, 11B, 12 and 13 of said chapter 54 or any other general or special law to the contrary, if the city or town clerk determines in writing that there is a deficiency in the number of required election officers, then the appointing authority may appoint election officers without regard to political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to said sections 11B and 12 of said chapter 54. If the position of the warden, clerk or inspector or the deputy of any such officer, if any, is vacant within the 3 weeks preceding the election, the city or town clerk may fill the vacancy by appointing a competent person willing to serve, without regard to political party membership, voter status, residence in the city or town or inclusion on a list filed by a political party committee pursuant to said sections 11B and 12 of said chapter 54.

(k) Notwithstanding sections 67 and 83 of said chapter 54 or any other general or special law to the contrary, the city or town clerk may eliminate the requirement that a voter provide their name or residence to an election officer at the ballot box and that the election officer mark the name off a voting list before the voter may deposit the ballot in

the ballot box.

(l) Notwithstanding section 25B of chapter 54 of the General Laws or any other general or special law or municipal ordinance to the contrary, upon a recorded and public vote by the select board, board of selectmen, town council or city council authorizing early in-person voting, any eligible voter of such municipality may vote early in-person for any annual or special municipal election held on or before March 31, 2021. Such vote may only be taken after a request from the city or town clerk or authorized local election official recommending in-person early voting and provided that such vote occurs not less than 5 business days prior to the proposed beginning of early voting and that such early in-person voting complies with the following:

(i) A city or town, as part of the vote to allow early voting in-person, may set the early voting period to begin no sooner than 10 days before the election and end no later than the business day preceding the business day before the election.

(ii) Early voting shall be conducted during the usual business hours of the city or town clerk unless different hours are set as part of the vote, including any weekend hours.

(iii) The city or town clerk shall establish an early voting site that is centrally located, suitable and in a convenient public building. Notice of the early voting location, dates and hours must be posted at least 48 weekday hours before the early voting period begins.

(iv) A qualified voter voting early in person shall be provided with a ballot and an envelope where the ballot is placed after voting which contains an affidavit of compliance to be filled out by the voter. A qualified voter voting early in person shall complete an affidavit under the regulations promulgated by the state secretary for the administration of early voting and appearing at 950 CMR 47.00, as applicable, which shall include a notice of penalties under section 26 of chapter 56 of the General Laws.”

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Rodrigues, and the Governor’s amendment was considered forthwith.

After remarks, on motion of the same Senator, the Governor’s amendment was adopted, in concurrence.

Sent to the House for re-enactment.

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to certain trust funds and non-public ambulance service reimbursement (see House, No. 5178) [being the text contained in Sections 23 and 43 of the General Appropriation Bill (see House, No. 5164)] [for message, see House, No. Attachment B of House, No. 5190],-- came from the House with the endorsement that the House adopted an amendment to the amendment recommended by the Governor (as approved by committee on Bills in the Third Reading), as follows:

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

“SECTION 1. Chapter 29 of the General Laws is hereby amended by striking out section 2IHHH, inserted by section 8 of chapter 124 of the acts of 2020, and inserting in place thereof the following 3 sections:-

Section 2IHHH. (a) There shall be an Early Education and Care Public-Private Trust Fund. The fund shall be administered by the commissioner of early education and care.

(b) There shall be credited to the fund: (i) revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) interest earned on such revenues; and (iii) funds from public and private sources, including, but not limited to, gifts, grants and donations, to support state, philanthropic and private partnership efforts supporting Massachusetts childcare providers. Amounts credited to the

Ambulance service reimbursement.

fund that are unexpended at the end of a fiscal year shall not revert to the General Fund.

(c) Amounts credited to the fund may be expended, without further appropriation, by the commissioner for the following purposes:

(i) to assist the needs of providers in the early education and care mixed delivery system;

(ii) for the development of an infrastructure to facilitate state, private and philanthropic efforts in support of the early education and care field; and

(iii) for state collaboration with philanthropic organizations and businesses to establish and maintain an infrastructure for providing ongoing technical assistance and programming for the early education and care field including, but not limited to, the enhancement of business stability and sustainability, the fostering of local cross-sector early childhood education collaboration and the enhancement of program quality, including supports for early childhood educators.

(d) Amounts received from private sources shall be approved by the commissioner of early education and care and subject to review before being deposited in the fund to ensure that pledged funds are not accompanied by conditions, explicit or implicit, on the implementation of early education and care policy and planning. The review shall be made publicly available.

(e) The commissioner of early education and care may designate an administrator of the fund for purposes of implementing approved activities consistent with this section.

(f) Annually, not later than November 1, the commissioner of early education and care shall report on the fund's activities to the house and senate committees on ways and means, the chairs of the joint committee on education and the house and senate clerks. The report shall include, but shall not be limited to: (i) the source and amount of funds received; (ii) the amounts distributed and the purpose of expenditures from the fund, including, but not limited to, funds expended to assist early education and care providers; (iii) any grants provided to early education and care programs, philanthropic organizations or other stakeholder organizations; and (iv) anticipated revenue and expenditure projections for the next year.

Section 2JJJJ. (a) There shall be a federal COVID-19 response fund to retain certain federal funds received by the commonwealth to assist the commonwealth in its public health, community and economic recovery efforts related to the state of emergency concerning the novel coronavirus disease outbreak declared by the governor on March 10, 2020.

(b) The fund shall be credited with: (i) revenue authorized by the general court and specifically designated to be credited to the fund from federal funds allocated to the commonwealth pursuant to federal legislation enacted after December 4, 2020 and in response to the COVID-19 outbreak or related economic recovery, but excluding federal grants that are not subject to appropriation and funds related to increased federal medical assistance percentage rates under section 1905(b) of the Social Security Act; provided, that federal funds made available in the form of newly created reimbursement programs may be authorized by the general court and designated to be credited to the fund; and (ii) interest earned on such revenue. Amounts credited to the fund shall be subject to appropriation and money remaining in the fund at the end of a fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.

(c) Amounts credited to the fund may be expended for purposes that assist the commonwealth in its public health, community and economic recovery efforts to respond to the novel coronavirus disease outbreak.

Section 2KKKKK. (a) There shall be established and set up on the books of the commonwealth a separate fund known as the Nonpublic Ambulance Service Reimbursement Trust Fund to be administered by the secretary of health and human

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

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

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

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

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

SECTION 2. Said chapter 118E, as so appearing, is hereby amended by inserting after section 67 the following section:-

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

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

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

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

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

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

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

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

(b) A nonpublic ambulance service’s liability to the Nonpublic Ambulance Service Reimbursement Trust Fund, established in section 2KKKKK of chapter 29, shall equal the product of: (i) the ratio of its nonpublic emergency ambulance assessed charges to all nonpublic ambulance services’ nonpublic emergency ambulance assessed charges statewide; and (ii) the total nonpublic emergency ambulance service assessment amount. Annually, before October 1, the executive office shall establish each nonpublic ambulance service’s liability to said fund using the best data available as determined by the executive office and shall update each nonpublic ambulance service’s liability to said fund as updated information becomes available. The executive office shall specify, by regulation an appropriate mechanism for interim determination and payment of a nonpublic ambulance service’s liability to the fund. A nonpublic ambulance service's liability to the fund shall, in the case of a transfer of ownership, be assumed by the successor in interest to the nonpublic ambulance service.

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

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

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

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

The rules were suspended, on motion of Mr. Rodrigues, and the Governor’s amendment was considered forthwith.

After remarks, on motion of the same Senator, the Governor’s amendment was

adopted as amended, in concurrence.
Sent to the House for re-enactment.

Engrossed Bill.

An engrossed Bill establishing a sick leave bank for Debra Hill, an employee of the department of mental health (see House, No. 5036) (which originated in the House) **having been certified by the Senate Clerk to be rightly and truly prepared for final passage was passed to be enacted, two-thirds of the members present having voted in the affirmative, and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Message from the Governor — Disapprovals and Reductions

General Appropriations Bill.

A message from His Excellency the Governor, returning, with his disapproval of certain items and sections and parts of certain items, and reductions in certain items contained in the engrossed Bill making appropriations for the fiscal year 2021 for the maintenance of the departments, boards, commissions, institutions and certain activities of the commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5164), which on Friday, December 4, 2020, had been laid before the Governor for his approbation,— came from the House, in part, several items and sections having been passed by the House notwithstanding the reduction or disapproval of the Governor.

General Appropriation Bill.

The message (House, No. 5190) was read; and the Senate proceeded to reconsider several items, which had been disapproved or reduced in accordance with the provisions of the Constitution.

Item 7004-0101 (Emergency Assistance Family Shelters and Services) was considered as follows:

Emergency Assistance Family Shelters and Services.

7004-0101. For certain expenses of the emergency housing assistance program under section 30 of chapter 23B of the General Laws including homelessness prevention, diversion and strategic re-housing and contracted family shelters; provided, that eligibility shall be limited to families with incomes at or below 115 per cent of the 2018 or a later-issued higher federal poverty level; provided further, that any family whose income exceeds 200 per cent of the federal poverty level for a sustained and consecutive period of 90 days while the family is receiving assistance funded by this item shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the income level was exceeded; provided further, that families who are eligible for assistance through a temporary emergency family shelter shall include families who: (i) are at risk of domestic abuse in their current housing situation or who are homeless because they fled domestic violence and have not had access to safe, permanent housing since leaving the housing situation that they fled; (ii) through no fault of their own, are homeless due to fire, flood or natural disaster; (iii) through no fault of their own, have been subject to eviction from their most recent housing due to: (a) foreclosure; (b) condemnation; (c) conduct by a guest or former household member who is not part of the household seeking emergency shelter and over whose conduct the remaining household members had no control; or (d) nonpayment of rent caused by a documented medical condition or diagnosed disability or caused by a documented loss of income within the last 12 months directly as a result of

a change in household composition or a loss of income source through no fault of the family; and (iv) are in a housing situation where they are not the primary leaseholder or are in a housing situation not meant for human habitation and where there is a substantial health and safety risk to the family that is likely to result in significant harm should the family remain in the housing situation; provided further, that temporary emergency assistance shall be provided to families who, on the date of application for emergency assistance, have no other feasible alternative housing as defined under 760 CMR 67.06(1)(b) and who, but for not having spent 1 night in a public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings, including, but not limited to, a car, park, abandoned building, medical facility, bus or train station, airport or campground, would be eligible for emergency assistance under clauses (i) to (iv), inclusive; provided further, that the department of housing and community development shall submit biannual reports to the house and senate committees on ways and means detailing expenditures under the preceding proviso, including: (1) the number of families who received emergency assistance under the preceding proviso; (2) the number of families entering the emergency assistance system after having already stayed in a place not meant for human habitation; and (3) the number of families entering the emergency assistance system having stayed in a place not meant for human habitation after having requested services provided for in this item within the preceding 6 months; provided further, that the department shall submit the first report not later than March 15, 2021 and the second report not later than October 15, 2021; provided further, that nothing herein contained shall require that emergency assistance be provided to a family that, on the date of application for emergency assistance, has other feasible housing as defined in said 760 CMR 67.06(1)(b) and that said housing adequately accommodates the size and disabilities of the family; provided further, that at least annually, the department shall provide training to relevant staff to ensure compliance with legal requirements related to eligibility for the emergency housing assistance program, including eligibility based on a family having no other feasible alternative housing as defined under said 760 CMR 67.06(1)(b); provided further, that the department of housing and community development shall collaborate with the executive office of health and human services, the Massachusetts interagency council on housing and homelessness and family homelessness service providers on strategies and best practices for prevention of family homelessness; provided further, that the health and safety risk shall be determined by the department of children and families or a department-approved entity through risk assessments; provided further, that a family who receives emergency housing assistance due to domestic abuse shall be connected to the appropriate social service agency; provided further, that temporary assistance under this item shall be terminated upon the offer of available housing or other assistance sufficient to maintain or stabilize housing; provided further, that a family may not decline an offer for available housing if the offer adequately accommodates the size and disabilities of the family and the new housing placement would not result in a job loss for the client; provided further, that any family who declines an adequate offer of available housing or other assistance sufficient to maintain or stabilize housing shall become ineligible for assistance from this item; provided further, that families receiving benefits under this item shall have 30 per cent of their income set aside in a savings account, subject to reasonable exceptions as set forth under departmental regulations in effect in fiscal year 2021; provided further, that the amount saved shall be exempt from otherwise applicable asset limits; provided further, that the family may

withdraw the amount placed in savings upon transition to permanent housing or losing eligibility for shelter services; provided further, that families receiving emergency assistance shall receive housing search assistance that attempts to facilitate a sustainable housing placement within 4 weeks of entry into the emergency assistance shelter, motel or hotel; provided further, that families receiving assistance for longer than 32 weeks shall have an executable shelter exit plan that facilitates a housing placement in a new sustainable tenancy or a safe residence including, but not limited to, a placement for which the family is not the primary leaseholder, as soon as possible; provided further, that benefits under this item shall be provided only to residents of the commonwealth who are citizens of the United States or persons lawfully admitted for permanent residence or otherwise permanently residing under the color of the law in the United States; provided further, that as part of departmental efforts to prevent abuse of the emergency assistance program, the department of housing and community development shall enter into a wage match agreement with the department of revenue; provided further, that eligibility for shelter by an otherwise eligible family shall not be impaired by prior receipt of any nonshelter benefit; provided further, that an eligible household that is approved for shelter placement shall be placed in a shelter as close as possible to the household's home community, unless a household requests otherwise; provided further, that if the closest available placement is not within 20 miles of the household's home community, the household shall be transferred to an appropriate shelter within 20 miles of its home community at the earliest possible date, unless the household requests otherwise; provided further, that the department shall notify local school departments of the placement of a family in its district within 5 days of placement; provided further, that the department shall make every effort to ensure that children receiving services from this item shall continue attending school in the community in which they lived before receiving services funded from this item; provided further, that the department shall use its best efforts to ensure that a family placed by the emergency housing assistance program shall be provided with access to refrigeration and basic cooking facilities; provided further, that if a family with a child under 3 years of age is placed in a hotel or motel, the department shall ensure that the hotel or motel provides a crib that meets all state and federal safety codes for each child under 3 years of age; provided further, that notwithstanding any general or special law to the contrary, the department shall immediately provide shelter for up to 30 days to families who appear to be eligible for shelter based on statements provided by the family and any other information in the possession of the department but who need additional time to obtain any third-party verifications reasonably required by the department; provided further, that shelter benefits received under the preceding proviso shall not render a family ineligible under any regulation which provides that a family who previously received shelter is ineligible for shelter benefits for a period of 12 months; provided further, that families receiving shelter benefits who are found ineligible for continuing shelter benefits shall be eligible for aid pending a timely appeal under said chapter 23B of the General Laws; provided further, that the department shall not impose unreasonable requirements for thirdparty verifications and shall accept verifications from a family whenever reasonable; provided further, that this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to or shall be construed as giving rise to any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that notwithstanding any general or special law to the contrary, not less than 90 days before promulgating or amending any

regulations, administrative practice or policy that would alter eligibility for or the level of benefits under this program, other than that which would benefit the clients, the department shall file with the house and senate committees on ways and means, the clerks of the house of representatives and the senate and the joint committee on children, families and persons with disabilities a written report setting forth justification for such changes including, but not limited to, any determination by the secretary of housing and economic development that available appropriations will be insufficient to meet projected expenses and the projected savings from any proposed changes; provided further, that no funds shall be expended for costs associated with the homeless management information system; provided further, that no funds from this item shall be expended for personnel or administrative costs; provided further, that funds may support service adaptations necessitated by the 2019 novel coronavirus in order to ensure adequate and accessible services; provided further, that for the duration of the state of emergency declared by the governor on March 10, 2020, the department of housing and community development shall submit monthly reports to the house and senate committees on ways and means containing the most recently available monthly data on the number of families in congregate or other shared shelter placements and the number of families on extended leave from congregate or other shared shelter placements for purposes of social distancing, isolation, quarantine or care of self or another family member related to the 2019 novel coronavirus; provided further, that not later than February 3, 2021, the department shall provide to the house and senate committees on ways and means a report of the most recently available monthly data on: (A) applications for services provided for in this item and in item 7004-0108; (B) front-door entries into the emergency assistance system, with data on the race and ethnicity of all families approved for services; (C) applications for services provided in this item and in item 7004-0108 that are denied, the bases of all such denials and data on the race and ethnicity of all families denied; (D) applications for services provided for in this item and in item 7004-0108 that do not result in a formal denial, a front-door entry into the emergency assistance system or verified diversion as a result of HomeBASE household assistance, including available demographic information; (E) the number of households submitting multiple applications for services provided for in this item and in item 7004-0108 within the previous 1-month period and within the previous 6-month period; (F) diversions as a result of HomeBASE household assistance; (G) exits through at-fault termination; (H) exits because the household is no longer income eligible; (I) exits through HomeBASE household assistance; (J) exits to another subsidized housing program; and (K) the number of applications that do not result in the household entering emergency assistance shelter within 48 hours and for which such non-entry is attributable to each of the following: written denial, pending documentation or verifications, no imminent homelessness and household withdrew the application; provided further, that the department shall report quarterly to the house and senate committees on ways and means detailing: (I) the number of families transitioned from shelter benefits to affordable, subsidized or otherwise assisted housing through this program; (II) the average, minimum and maximum cost per family of such assistance; (III) the number of families served who required further assistance at a later date; (IV) the type of assistance later required and provided; (V) the total number of families receiving benefits under 7004-0101 that have received assistance under 7004-1018 during each of the previous 3 years; (VI) the number of children served broken down by age; (VII) the number of applications from households that became homeless within 12 months of

depleting their HomeBASE assistance under item 7004-0108; (VIII) the reasons for homelessness in the applications received under clause (VII); and (IX) the number of applications received under said clause (VII) that are denied; provided further, that the report shall also include the following information from the department of children and families: (i) the number of families assessed in the previous quarter; (ii) the number of families determined to be at a substantial health and safety risk; (iii) the number of families receiving multiple health and safety assessments within the previous 6-month period; and (iv) the standards used to determine a substantial health and safety risk; provided further, that the department shall report quarterly to the house and senate committees on ways and means on: (a) the number of families that applied for a transfer from their current shelter placement to a unit that can accommodate their disability-related needs, delineated by reason for the application; (b) the number of families whose applications for reasonable accommodation have been approved but that are waiting for transfer due to lack of available units able to accommodate their disability-related needs, delineated by category of accommodation, including, but not limited to, access to cooking facilities, first-floor or elevator access, noncarpeted unit, physical modification to unit, scattered site unit, geographic proximity to service providers and wheelchair accessibility; (c) the number of families currently in shelter units located more than 20 miles away from their home community; (d) the number of families with at least 1 child who attends a school other than the child's school of origin as a result of placement in a shelter unit outside of their home community; and (e) both the average number of days and the maximum number of days that families spend in placements under the circumstances described in clauses (b) to (d), inclusive, before being transferred to a shelter unit for which none of the circumstances in said clauses (b) to (d), inclusive, apply; provided further, that funds shall be expended for expenses incurred as a result of families being housed in hotels due to the unavailability of contracted shelter beds; provided further, that funds shall be expended to modify or create shelter units suitable to meet the needs of households with disabilities requiring reasonable accommodation; provided further, that not less than \$125,000 may be expended for technical assistance by Homes for Families, Inc.; provided further, that up to \$4,880,995 appropriated for this item in fiscal year 2020 shall not revert but shall be made available for the purposes of this item in fiscal year 2021; provided further, that not less than \$75,000 shall be expended for the operation of the Portal to Hope Corp. servicing the cities of Everett, Malden and Medford provided further, that not less than \$800,000 shall be expended to establish the home works program to provide opportunities for children in emergency housing assistance programs to attend out-of-school time and summer programming run by youth-serving organizations; provided further, that a youth-serving organization shall apply to contract with the department of housing and community development to receive contract slots to serve children in the program; provided further, that youth-serving organizations shall obtain criminal offender record information for each staff member employed by the program with responsibilities that include direct care for children pursuant to section 172H of chapter 6 of the General Laws and sex offender registry information pursuant to section 178I of said chapter 6, and information that is publicly available from a registry of sex offender information that is operated or coordinated by the federal government; and provided further, that the department may expend funds for the administration and implementation of the home works program.....\$180,904,755.

The Governor struck the following wording “; (V) the total number of families

receiving benefits under 7004-0101 that have received assistance under 7004-1018 during each of the previous 3 years” and

“(VII) the number of applications from households that became homeless within 12 months of depleting their HomeBASE assistance under item 7004-0108; (VIII) the reasons for homelessness in the applications received under clause (VII); and (IX) the number of applications received under said clause (VII) that are denied”.

After remarks, the question on passing Item 7004-0101, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twenty-three minutes before six o'clock P.M., as follows, to wit (yeas 39 – nays 0) [Yeas and Nays No. 336]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crighton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | 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. |
| Finegold, Barry R. | Tran, Dean A. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. – 39. |
| Hinds, Adam G. | |

NAYS – 0.

The yeas and nays having been completed at twenty-one minutes before six o'clock P.M., Item 7004-0101, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 7004-0108 (HomeBASE) was considered as follows:

HomeBASE.

7004-0108. For a program of short-term housing assistance to help families eligible for temporary emergency shelter under item 7004-0101 in addressing obstacles to maintaining or securing housing; provided, that the assistance shall include not less than 12 months of housing stabilization and economic self-sufficiency case management services for each family receiving benefits under this item; provided further, that a family shall not receive more than a combined sum of \$10,000 in a 12-month period from this item and item 7004-9316; provided further, that from the passage of this act until the termination of the state of emergency concerning the outbreak of the 2019 novel coronavirus disease declared by the governor on March 10, 2020, the preceding proviso shall not apply; provided further, that so long as they meet the requirements of their housing stabilization plan, a

family that received household assistance under this item whose income exceeds 50 per cent of area median income shall not become ineligible for assistance due to exceeding the income limit for a period of 6 months from the date that the 50 per cent level was exceeded; provided further, that a family shall not be deemed ineligible as a result of any single violation of a self-sufficiency plan; provided further, that the department of housing and community development shall take all steps necessary to enforce regulations to prevent abuse in the short-term housing transition program, including a wage match agreement with the department of revenue; provided further, that a family that was terminated from the program or did not make a good faith effort to follow its housing stabilization plan during the term of its assistance shall be ineligible for benefits under said item 7004-0101 and this item for 12 months from the last date the family received assistance under said item 7004-0101 and this item including housing stabilization and economic self-sufficiency case management services; provided further, that a family's housing stabilization plan shall adequately accommodate the ages and disabilities of the family members; provided further, that families receiving benefits under this program who are found ineligible for continuing benefits shall be eligible for aid pending a timely appeal under chapter 23B of the General Laws; provided further, that families who are denied assistance under this item may appeal that denial under said chapter 23B, including subsection (F) of section 30 of said chapter 23B and regulations adopted to implement said chapter 23B; provided further, that benefits under this item shall only be provided to residents of the commonwealth who are citizens of the United States or persons lawfully admitted for permanent residence or otherwise permanently residing under the color of law in the United States; provided further, that the department, as a condition of continued eligibility for assistance under this program, may require disclosure of social security numbers by all members of a family receiving assistance under this item for use in verification of income with other agencies, departments and executive offices; provided further, that if a family member fails to provide a social security number for use in verifying the family's income and eligibility, then the family shall no longer be eligible to receive benefits from this program; provided further, that the department shall administer this program through the following agencies, unless administering agencies are otherwise procured by the department: the Berkshire Housing Development Corporation, Central Massachusetts Housing Alliance, Inc., Community Teamwork Inc., the Housing Assistance Corporation; the Franklin County regional housing and redevelopment authority; Way Finders, Inc.; Metro Housing Boston; the Lynn housing authority and neighborhood development; the South Middlesex Opportunity Council, Inc.; NeighborWorks LLC; and RCAP Solutions, Inc.; provided further, that the department shall reallocate financing based on performance-based statistics from underperforming service providers to above average service providers in order to move as many families from hotels, motels or shelters into more sustainable housing; provided further, that the department shall use funds provided under this program for stabilization workers to focus efforts on housing retention and to link households to supports, including job training, education, job search and child care opportunities available, and may enter into agreements with other public and private agencies for the provision of such services; provided further, that a stabilization worker shall be assigned to each household; provided further, that funds shall be used to more rapidly transition families served by the program into temporary or permanent sustainable housing; provided further, that notwithstanding any general or special law to the contrary, not less than 90 days before promulgating or amending any regulation, administrative

practice or policy that would alter eligibility for or the level of benefits under this program to less than the benefit level available on June 30, 2020, the department shall file a report with the house and senate committees on ways and means and the clerks of the house of representatives and senate setting forth the justification for such changes including, but not limited to, any determination by the secretary of housing and economic development that available appropriations will be insufficient to meet projected expenses; provided further, that the department shall submit quarterly reports to the house and senate committees on ways and means, which shall include, but not be limited to, the: (i) number of families served, including available demographic information, as well as the number of families with dependents 0 to 17 years of age, the number of families with dependents 18 to 20 years of age and non-dependent adult household members 18 years of age and older served; (ii) type of assistance given; (iii) number of families assisted through this program (iv) average, minimum and maximum cost per family of such assistance; and (v) total number of families receiving benefits under 7004-0101 that have received assistance under 7004- 0108 during the previous 1, 2, and 3 years, including available demographic information; provided further, that the department shall expend funds under item 7004-0108 on families residing in temporary emergency shelters and family residential treatment or sober living programs under items 4512-0200 and 4513-1130 if such families otherwise meet all eligibility requirements applicable to emergency shelter under item 7004-0101, except that, solely for the purpose of this item, the fact that a family is residing in a temporary emergency domestic violence shelter under item 4513-1130 or in a family residential treatment or sober living program under item 4512-0200 shall not preclude such family from receiving assistance; provided further, that this item shall be subject to appropriation and, in the event of a deficiency, nothing in this item shall give rise to, or shall be construed as giving rise to, any enforceable right or entitlement to services in excess of the amounts appropriated in this item; provided further, that household assistance funds shall be advanced to the administering agencies at the end of each month and before the next month's disbursement, the amount of which shall be estimated based on the prior month's expenditure with a reconciliation not less than annually; and provided further, that up to \$1,900,440 appropriated for this item in fiscal year 2020 shall not revert but shall be made available for the purposes of this item in fiscal year 2021.....\$27,158,178.

The Governor struck the following wording “; (v) the total number of families receiving benefits under 7004-0101 that have received assistance under 7004-0108 during the previous 1, 2, and 3 years, including available demographic information”.

After remarks, the question on passing Item 7004-0108, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at nineteen minutes before six o'clock P.M., as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 337**]:

YEAS.

- | | |
|--------------------------|---------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |

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Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
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.

Moore, Michael O.
Moran, Susan L.
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.
Velis, John C.
Welch, James T. – 39.

NAYS – 0.

The yeas and nays having been completed at seventeen minutes before six o'clock P.M., Item 7004-0108, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0321-2100 (Correctional Legal Services Committee) was considered as follows:

Correctional Legal
Services Committee.

0321-2100. For the expenses of Prisoners' Legal Services\$2,208,332.

The Governor reduced this item by \$181,801.

After remarks, the question on passing Item 0321-2100, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at a quarter before six o'clock P.M., as follows, to wit (yeas 37 — nays 2) [**Yeas and Nays No. 338**]:

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
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.
Hinds, Adam G.

Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 37.

NAYS.

Fattman, Ryan C.

Tran, Dean A. – 2.

The yeas and nays having been completed at thirteen minutes before six o'clock P.M., Item 0321-2100, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0340-0900 (Bristol District Attorney's Office) was considered as follows:

Bristol District Attorney's Office.

0340-0900. For the Bristol district attorney's office, including the victim and witness assistance program, the child abuse and sexual assault prosecution program and the domestic violence unit; provided, that 50 per cent of fees payable under rules 15(d) and 30(c)(8) of the Massachusetts Rules of Criminal Procedure for appeals taken by the office shall be paid from this item; and provided further, that no assistant district attorney shall be paid an annual salary of less than \$62,500.....\$11,759,094.

The Governor reduced this item by \$663,468.

The question on passing Item 0340-0900, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at twelve minutes before six o'clock P.M., as follows, to wit (yeas 37 — nays 2) [Yeas and Nays No. 339]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Chang-Diaz, Sonia | Lovely, Joan B. |
| Collins, Nick | Montigny, Mark C. |
| Comerford, Joanne M. | Moore, Michael O. |
| Creem, Cynthia Stone | Moran, Susan L. |
| Crichton, Brendan P. | O'Connor, Patrick M. |
| Cyr, Julian | Pacheco, Marc R. |
| DiDomenico, Sal N. | Rausch, Rebecca L. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Eldridge, James B. | Rush, Michael F. |
| Feeney, Paul R. | Tarr, Bruce E. |
| Finegold, Barry R. | Timilty, Walter F. |
| Friedman, Cindy F. | Velis, John C. |
| Gobi, Anne M. | Welch, James T. — 37. |
| Hinds, Adam G. | |

NAYS.

- | | |
|------------------|--------------------|
| Fattman, Ryan C. | Tran, Dean A. — 2. |
|------------------|--------------------|

The yeas and nays having been completed at eleven minutes before six o'clock P.M., Item 0340-0900, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0340-0998 (Bristol District Attorney's State Police Overtime) was considered as follows:

Bristol District Attorney's State Police Overtime.

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0340-0998. For the overtime costs of state police officers assigned to the Bristol district attorney’s office\$564,958.

The Governor reduced this item by \$67,872.

The question on passing Item 0340-0998, contained in section 2, in concurrence, the reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at ten minutes before six o’clock P.M., as follows, to wit (yeas 34 — nays 5) **[Yeas and Nays No. 340]:**

YEAS.

- | | |
|--------------------------|------------------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Boncore, Joseph A. | Keenan, John F. |
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Lesser, Eric P. |
| Chandler, Harriette L. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Montigny, Mark C. |
| Creem, Cynthia Stone | Moore, Michael O. |
| Crighton, Brendan P. | Moran, Susan L. |
| Cyr, Julian | O'Connor, Patrick M. |
| DiDomenico, Sal N. | Pacheco, Marc R. |
| DiZoglio, Diana | Rodrigues, Michael J. |
| Feeney, Paul R. | Rush, Michael F. |
| Finegold, Barry R. | Tarr, Bruce E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. |
| Hinds, Adam G. | Welch, James T. – 34. |

NAYS.

- | | |
|--------------------|---------------------------|
| Chang-Diaz, Sonia | Rausch, Rebecca L. |
| Eldridge, James B. | Tran, Dean A. – 5. |
| Fattman, Ryan C. | |

The yeas and nays having been completed at eight minutes before six o’clock P.M., Item 0340-0998, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 0810-0004 (Compensation to Victims of Violent Crime) was considered as follows:

Compensation to
Victims of Violent
Crime.

0810-0004. For compensation to victims of violent crimes; provided, that notwithstanding chapter 258C of the General Laws, if a claimant is 60 years of age or older at the time of the crime and is not employed or receiving unemployment compensation, such claimant shall be eligible for compensation under said chapter 258C even if the claimant has suffered no out-of-pocket loss; provided further, that compensation to such claimant shall be limited to a maximum of \$50; and provided further, that notwithstanding any general or special law to the contrary, victims of the crime of rape shall be notified of all available services designed to assist rape victims, including, but not limited to, the services provided under section 5 of chapter 258B of the General Laws.....\$2,466,514.

The Governor reduced this item by \$117,453.

The question on passing Item 0810-0004, contained in section 2, in concurrence, the

reduction of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at seven minutes before six o'clock P.M., as follows, to wit (yeas 39 — nays 0) [Yeas and Nays No. 341]:

YEAS.

Barrett, Michael J.	Jehlen, Patricia D.
Boncore, Joseph A.	Keenan, John F.
Brady, Michael D.	Kennedy, Edward J.
Brownsberger, William N.	Lesser, Eric P.
Chandler, Harriette L.	Lewis, Jason M.
Chang-Diaz, Sonia	Lovely, Joan B.
Collins, Nick	Montigny, Mark C.
Comerford, Joanne M.	Moore, Michael O.
Creem, Cynthia Stone	Moran, Susan L.
Crichton, Brendan P.	O'Connor, Patrick M.
Cyr, Julian	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.
Finegold, Barry R.	Tran, Dean A.
Friedman, Cindy F.	Velis, John C.
Gobi, Anne M.	Welch, James T. – 39.
Hinds, Adam G.	

NAYS – 0.

The yeas and nays having been completed at five minutes before six o'clock P.M., Item 0810-0004, contained in section 2, stands, in concurrence, notwithstanding the reduction of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2000-0101 (Climate Adaptation and Preparedness) was considered as follows:

Climate Adaptation
and Preparedness.

2000-0101. For the executive office of energy and environmental affairs to coordinate and implement strategies for climate change adaptation and preparedness including, but not limited to: (i) the resiliency of the commonwealth's transportation, energy and public health infrastructures; (ii) built environments; (iii) municipal assistance; (iv) improved data collection and analysis; (v) enhanced planning; and (vi) improved resiliency through the strengthening and revitalization of natural resources, including marshes and other wetlands; provided, that the executive office may enter into interagency service agreements to facilitate and accomplish these efforts; provided further, that not later than February 3, 2021 the executive office of energy and environmental affairs shall submit a report to the house and senate committees on ways and means, that shall include, but not be limited to: (a) the commonwealth's multiyear plan for developing a climate change resiliency plan and response strategy; (b) plans to support local partners in climate change adaptation and resiliency; (c) an analysis of the differing effects of climate change in different geographic, ecological, and coastal regions of the state, including urban, suburban and rural homes; (d) a review of the environmental justice impacts of climate change on communities of color; and (e) a detailed breakdown of all expenditures made

under this item; provided further, that funds shall be expended for the hiring of environmental justice staff whose responsibilities may include, but not be limited to, mitigating, adapting and preparing for the environmental justice impacts of climate change, establishing and implementing environmental justice policies, strategies and priorities within the executive office of energy and environmental affairs and coordinating with other state agencies and departments to promote and secure environmental justice; provided further, that not later than February 3, 2021, the executive office shall submit a report to the house and senate committees on ways and means that shall include, but not be limited to: (1) the number of full-time equivalent positions assigned to the executive office’s environmental justice staff; (2) responsibilities held by the executive office’s environmental justice staff; and (3) the status of environmental justice policies, strategies and initiatives being pursued for both the current and coming fiscal years; and provided further, that not later than December 30, 2020, the executive office shall submit a report to the house and senate committees on ways and means, the house and senate committees on global warming and climate change, the joint committee on transportation and the joint committee on telecommunications, utilities and energy that shall include the status of its efforts to enhance port infrastructure for the development of offshore wind.....\$2,213,999.

The Governor struck the following wording “provided further, that not later than February 3, 2021, the executive office shall submit a report to the house and senate committees on ways and means that shall include, but not be limited to: (1) the number of full-time equivalent positions assigned to the executive office’s environmental justice staff; (2) responsibilities held by the executive office’s environmental justice staff; and (3) the status of environmental justice polices, strategies and initiatives being pursued for both the current and coming fiscal years” and

“that not later than December 30, 2020,”.

After remarks, the question on passing Item 2000-0101, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at three minutes before six o’clock P.M., as follows, to wit (yeas 38 – nays 1) [**Yeas and Nays No. 342**]:

YEAS.

Barrett, Michael J.	Hinds, Adam G.
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.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.

Friedman, Cindy F.
Gobi, Anne M.

Velis, John C.
Welch, James T. – 38.

NAYS.

Tran, Dean A. – 1.

The yeas and nays having been completed at two minutes before six o'clock P.M., Item 2000-0101, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

Item 2800-0500 (Beach Preservation) was considered as follows:

Beach Preservation.

2800-0500. For the existing maintenance, operational and infrastructure needs of the metropolitan beaches as determined by the commission established under section 70 of chapter 3 of the General Laws; provided, that not less than \$900,000 shall be expended for the metropolitan beaches in Lynn, Nahant, Revere, Winthrop, East Boston, South Boston, Dorchester, Quincy and Hull to be fully maintained and seasonally staffed as recommended by the metropolitan beaches commission in coordination with the department of conservation and recreation; provided further, that not less than \$50,000 shall be expended for the cleanup of Pilayella algae on Kings beach and Long beach in the city of Lynn; provided further, that not less than \$50,000 shall be expended for Save the Harbor, Save the Bay, Inc.'s staff time, consultants and direct expenses to support the ongoing work of the metropolitan beaches commission; and provided further, that not less than \$190,000 shall be expended for matching grants to public and nonpublic entities to support free public events and programs on the metropolitan beaches as part of Save the Harbor, Save the Bay, Inc.'s Better Beaches Grants Program as recommended by the metropolitan beaches commission.....\$1,229,660.

The Governor struck the following wording "as determined by the commission established".

After remarks, the question on passing Item 2800-0500, contained in section 2, in concurrence, the objections of His Excellency the Governor to the contrary notwithstanding, was determined by a call of the yeas and nays, as required by Chapter I, Section I, Article II, of the Constitution, at six o'clock P.M., as follows, to wit (yeas 37 – nays 2) [**Yeas and Nays No. 343**]:

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
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.

Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.

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Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Rush, Michael F.
Timilty, Walter F.
Velis, John C.
Welch, James T. – 37.

NAYS.

Tarr, Bruce E.

Tran, Dean A. – 2.

The yeas and nays having been completed at two minutes past six o'clock P.M., Item 2800-0500, contained in section 2, stands, in concurrence, notwithstanding the objections of His Excellency the Governor, two-thirds of the members present and voting having approved the same.

A petition (accompanied by bill, House, No. 5215) of David Allen Robertson for legislation to establish a sick leave bank for Chip Chaunamom, an employee of the Department of Public Health,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Chip Chaunamom,--
sick leave.

A Bill further regulating certain affordable housing in the city of Holyoke (House, No. 4590,-- on petition) [Local approval received],-- was read.

Holyoke,--
affordable housing.

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

A Bill authorizing the sale of real property in Brockton (House, No. 5212,-- on House, No. 5020),-- was read.

Brockton,-- property
sale.

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

Recess.

There being no objection, at twenty -six minutes before seven o'clock A.M., the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at nine minutes before eight o'clock P.M., the Senate reassembled, Ms. Friedman in the Chair (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair.)

Recess.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill promoting a resilient health care system that puts patients first (see Senate, No. 2984, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 5 to 0.

Telehealth.

The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.

An engrossed Bill relative to certain trust funds and non-public ambulance service reimbursement (see House, No. 5178, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the

Ambulance service
reimbursement.

requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 4 to 0.

The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.

An engrossed Bill relative to medical specialty camp medication administration (see House, No. 5182), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 4 to 0.

Medical specialty camps,-- medication.

The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.

An engrossed Bill relative to regional transit authority funding distribution (see House, No. 5183), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

Regional transit authorities,-- funding.

The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.

An engrossed Bill providing for early voting by mail (see House, No. 5184, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 4 to 0.

Early voting,-- mail.

The bill was signed by the Acting President (Ms. Friedman) and sent to the House for enactment.

Suspension of Senate Rule 38A.

Mr. Brownsberger moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Senate Rule 38A.

Committee Changes.

The Chair (Ms. Friedman) announced the resignation of Senator Brady of Plymouth and Bristol as a member of the committee on Bills in the Third Reading and the appointment of Senator Brownsberger of Suffolk and Middlesex to fill the vacancy.

Bills in the Third Reading,-- membership.

Subsequently, the Chair (Ms. Friedman) announced the resignation of Senator Brownsberger of Suffolk and Middlesex as a member of the committee on Bills in the Third Reading and the reappointment of Senator Brady of Plymouth and Bristol thereto.

PAPERS FROM THE HOUSE

Engrossed Bills.

The following engrossed bills (the first of which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were

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severally passed to be enacted and were signed by the Acting President (Ms. Friedman) and laid before the Governor for his approbation, to wit:

Promoting a resilient health care system that puts patients first (see Senate, No. 2984, amended); and

To protect children and families from harmful flame retardants (see House, No. 4900, amended).

Bills laid before the Governor.

The following engrossed bills (both of which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, were severally passed to be re-enacted and were signed by the Acting President (Ms. Friedman) and again laid before the Governor for his approbation, to wit:

Relative to certain trust funds and non-public ambulance service reimbursement (see House, No. 5178, amended); and

Providing for early voting by mail (see House, No. 5184, amended).

Bills again laid before the Governor.

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

Relative to medical specialty camp medication administration (see House, No. 5182); and

Relative to regional transit authority funding distribution (see House, No. 5183).

Bills again laid before the Governor.

Order Adopted.

On motion of Mr. Brownsberger,--

Ordered, That when the Senate adjourns today, it adjourn to meet again on Monday next at eleven o'clock A.M. in a full formal session without a calendar.

Time of meeting.

On motion of Mr. Tarr, at twenty-six minutes past eight o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.