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The Commonwealth of Massachusetts

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**JOURNAL OF THE SENATE.**



**THURSDAY, APRIL 29, 2021**

[36]

JOURNAL OF THE SENATE

Thursday, April 29, 2021.

Met at nineteen minutes past eleven o'clock A.M. (Ms. Creem in the Chair).

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

Pledge of allegiance.

Communications.

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

Communication from the Office of the Comptroller (pursuant to line item 1599-3384 of Section 2 of Chapter 227 of the Acts of 2020) submitting its report on payments made from the settlements and judgments reserve through the third quarter of FY21 (received April 29, 2021); and

CTR,-- S&J report. SD2603

Communication from the Department of Public Health relative to its plan of correction for the Western MA Women's Correctional Center inspection on April 7, 2021 (received April 29, 2021).

DPH,-- plan of correction. SD2604

Petition

Mr. O'Connor presented a petition (accompanied by bill) (subject to Joint Rule 12) of Patrick M. O'Connor for legislation relative to third party settlement organizations;

Third party settlements. SD2602

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

Reports of Committees on Proposals for

Legislative Amendments to the Constitution.

By Mr. Finegold, for the committee on Election Laws, on the petition (accompanied by proposal, House, No. 76) of Michael J. Moran and Kevin G. Honan for a legislative amendment to the Constitution to provide for no excuse absentee voting,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 76), ought to pass (Representative Dooley of Norfolk dissenting);

Absentee voting.

By Mr. Eldridge, for the committee on the Judiciary, on the petition (accompanied by proposal, House, No. 80) of Mindy Domb and others for a legislative amendment to the Constitution relative to the oaths and affirmations of public office,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 80), ought to pass;

Oaths of office

By Mr. Cronin, for the committee on the Municipalities and Regional Government, on the petition (accompanied by proposal, Senate, No. 2440) of William N. Brownsberger for a legislative amendment to the Constitution relative to select boards,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 2440), ought to pass;

Select boards.

By Mr. Hinds, for the committee on Revenue, on the petition (accompanied by proposal, House, No. 86) of James J. O'Day and Sean Garballey for a legislative amendment to the Constitution to provide resources for education and transportation

Millionaire tax.

**UNCORRECTED PROOF.**

through an additional tax on incomes in excess of one million dollars tax on incomes in excess of one million dollars,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 86), ought to pass; and

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 91) of Paul A. Schmid, III and others for a legislative amendment to the Constitution relative to agricultural and horticultural lands,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 91), ought to pass;

Agricultural,  
horticultural lands

**The reports were severally read and placed on file, in accordance with the requirements of said rule.**

By Mr. Finegold, for the committee on Election Laws, on the petition (accompanied by proposal, Senate, No. 16) of James B. Eldridge for a legislative amendment to the Constitution to establish an independent redistricting commission,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 16), ought NOT to pass (Senator Eldridge and Fattman dissenting);

Redistricting,--  
commission.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 17) of Walter Ziobro for a legislative amendment to the Constitution specifying the method of apportioning the General Court,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 17), ought NOT to pass;

Apportioning the  
General Court.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 18) of Adam G. Hinds for a legislative amendment to the Constitution relative to voting rights,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 18), ought NOT to pass (Senator Creem dissenting);

Voting rights.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 74) of Mindy Domb, Tami L. Gouveia and David M. Rogers for a legislative amendment to the Constitution relative to voting rights,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 74), ought NOT to pass (Senator Creem dissenting);

Id.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 75) of Paul W. Mark for a legislative amendment to the Constitution relative to no fault absentee votings,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 75), ought NOT to pass;

No fault absentee  
voting.

By Mr. Eldridge, for the committee on the Judiciary, on the petition (accompanied by proposal, Senate, No. 19) of Vincent Lawrence Dixon for a legislative amendment to the Constitution for term renewal process,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 19), ought NOT to pass;

Term renewal  
process.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 20) of Cynthia Stone Creem for a legislative amendment to the Constitution relative to the subject matter of initiative petitions,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 20), ought NOT to pass (Senator Creem dissenting);

Initiative petitions.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 21) of Adam G. Hinds for a legislative amendment to the

Equity in state policy.

**UNCORRECTED PROOF.**

Constitution relative to equity in state policy,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 21), ought NOT to pass (Representative Fluker Oakley of Boston dissenting);

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 25) of Sabrina Holland for a legislative amendment to the Constitution to amend articles of the Constitution to expand equal rights,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 25), ought NOT to pass (Representative Fluker Oakley of Boston dissenting);

Equal rights.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 1070) of Norma Powell for a legislative amendment to the Constitution relative to the term of judicial officers,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 1070), ought NOT to pass;

Judicial officers,-- term.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 79) of Mindy Domb and others for a legislative amendment to the Constitution relative to use of gender in the Constitution of the Commonwealth,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 79), ought NOT to pass (Senator Creem and Representatives Whipps of Athol, Fluker Oakley of Boston and Scanlon of North Attleborough dissenting);

Constitution,-- use of gender.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 81) of Thomas A. Golden, Jr. and James K. Hawkins for a legislative amendment to the Constitution relative to term limits for judges,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 81), ought NOT to pass (Representative Scanlon of North Attleborough dissenting);

Judges,-- term limits.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 82) of Bradley H. Jones, Jr. and Susan Williams Gifford for a legislative amendment to the Constitution relative to prohibiting eminent domain takings,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 82), ought NOT to pass;

Prohibiting eminent domain takings.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 83) of Sabrina Holland for a legislative amendment to the Constitution relative to equal protection of the laws,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 83), ought NOT to pass (Representative Fluker Oakley of Boston dissenting);

Equal protection.

By the same Senator, for the same committee, on the petition (accompanied by proposal, House, No. 84) of Paul W. Mark for a legislative amendment to the Constitution relative to a succession plan for a vacancy in the office of Lieutenant-Governor,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 84), ought NOT to pass (Representatives Whipps of Athol and Scanlon of North Attleborough dissenting);

Lt. Governor,-- succession plan.

By Ms. Jehlen, for the committee on Labor and Workforce Development, on the petition (accompanied by proposal, House, No. 85) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a Constitutional right to employable skills training,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see House, No. 85), ought NOT to pass;

Employable skills training.

**UNCORRECTED PROOF.**

By Mr. Hinds, for the committee on Revenue, on the petition (accompanied by proposal, Senate, No. 22) of Bruce E. Tarr for a legislative amendment to the Constitution to require a supermajority vote for the utilization of rainy day funds,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 22), ought NOT to pass; and

Rainy day funds.

By the same Senator, for the same committee, on the petition (accompanied by proposal, Senate, No. 23) of Bruce E. Tarr for a legislative amendment to the Constitution to cap the state income tax,-- reported, in accordance with a provision of Joint Rule 23, recommending that the amendment proposed by said petition (see Senate, No. 23), ought NOT to pass;

Cap the state income tax.

**The reports were severally read and placed on file, in accordance with the requirements of said rule.**

Under the provisions of Joint Rule 23, the following proposals were placed on file, the time within which the said committees were required to report having expired:

Of the committee on the Health Care Financing, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 77) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution to establish the right to health care; and

Right to health care.

Of the committee on the Housing, ought NOT to pass (under Joint Rule 23), on the petition (accompanied by proposal, House, No. 78) of Vincent Lawrence Dixon for a proposal for a legislative amendment to the Constitution for a Constitutional right to housing.

Right to housing.

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to improving safety on the roads of the Commonwealth (House, No. 3706),-- **was referred, in concurrence, to the committee on Transportation.**

Road safety.

A communication from the Division of Energy Resources of the Executive Office of Energy and Environmental Affairs (under the provisions of section 12 of Chapter 25A of the General Laws) submitting amendments to 225 CMR 14.00 and 15.00, Renewable Energy Portfolio Standard Regulations (RPS) (House, No. 3708),-- **was referred, in concurrence, to the committee on Telecommunications, Utilities and Energy.**

Renewable Energy Portfolio Standard Regulations.

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

Petition (accompanied by bill, House, No. 3705) of David K. Muradian, Jr. and Michael O. Moore (by vote of the town) that the town of Grafton be authorized to amend the charter of said town; and

Grafton,-- charter.

Petition (accompanied by bill, House, No. 3707) of Joseph W. McGonagle, Jr. (with the approval of the mayor and city council) that the city of Everett be authorized to amend the charter of said city;

Everett,-- charter.

**Severally to the committee on Municipalities and Regional Government.**

A Bill establishing a sick leave bank for Stephen Melchin, an employee of the Trial Court of the Commonwealth (House, No. 100,-- on petition),-- was read.

Stephen Melchin,-- sick leave.

**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.**

*Orders of the Day.*

The President in the Chair, the Orders of the Day were considered as follows:

The House Bill financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 3701),-- was read a second time.

Holyoke Soldiers' Home.

After remarks, the pending amendment previously recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2439,-- was considered.

*Moment of Silence.*

There being no objection, during consideration of the Orders of the Day, the Chair (Ms. Rausch), members, guests and staff stood in a moment of silence and reflection to the memory of Rebecca Mann Schmill.

Moment of silence.

*Orders of the Day.*

Ms. Creem in the Chair, the Orders of the Day were further considered as follows:

The House Bill financing the reconstruction of the Soldiers' Home in Holyoke (House, No. 3701),-- was considered, the main question being on ordering the bill to a third reading.

Holyoke Soldiers' Home.

The President in the Chair, Messrs. Feeney, Timilty, Crighton and Brady, Ms. Gobi, Mr. Eldridge, Ms. Rausch, Ms. Moran, Ms. Friedman, Mr. Cronin, Ms. DiZoglio, Ms. Jehlen, Ms. Comerford and Messrs. Collins, Lesser, Cyr, Pacheco, Montigny and DiDomenico moved that the proposed new text be amended by adding the following section:-

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“SECTION 6. (a) The funds authorized by item 4000-2026 of section 2 for the construction of a new facility for the Soldiers’ Home in Holyoke that is sufficiently extensive in size, complexity and duration to replace the existing Soldiers’ Home facility shall be expended in accordance with the following conditions:

- (i) sections 26 to 27F, inclusive, and section 29 of chapter 149 of the General Laws shall apply to all contracts for the project; and
  - (ii) all construction employees employed in the construction of the project shall be paid not less than the wage rate established for the work pursuant to a project labor agreement with the appropriate labor organization that shall include: (A) a uniform grievance and arbitration procedure for the resolution of work-related disputes on job sites; (B) mutually agreeable uniform work rules and schedules for the project; (C) an obligation for any labor organization and its constituent members not to strike with respect to work on the project; (D) participation goals of minority, veteran and women workers to be employed on each contract and the processes and procedures to ensure compliance with those workforce participation goals, including, but not limited to, a requirement to employ a sufficient number of apprentices to allow for the training and employment of individuals who would not otherwise qualify for employment on the project, the establishment of an access, inclusion and diversity committee and the reporting and enforcement requirements of paragraph (G) of section 44A of said chapter 149; and (E) an agreement to facilitate the entry of interested veterans into the building and construction trades by designating an entity or organization to serve as a resource for preliminary orientation, apprenticeship programs and other needs, as mutually agreeable, to foster veteran employment opportunities.
- (b) The access, inclusion and diversity committee shall meet publicly not less than monthly to implement and monitor diversity, inclusion workforce and

enterprise goals. The committee shall receive regular reports from the project owner and all contractors and subcontractors regarding work hours, diversity, inclusion and progress toward the participation goals for minority, women and veteran workers employed as set forth in the agreement. The committee shall review reports describing: (i) the number of contracts; (ii) total dollar amounts contracted with and actually paid to MBE, WBE and VBE, as defined by section 58 of chapter 7 of the General Laws, for design and construction of the Soldier's Home in Holyoke; (iii) the total number and value of all subcontracts awarded to MBE, WBE and VBE; and (iv) a comparison of these reports with the goals established by the division of capital asset management and maintenance, in consultation with the committee. The committee shall regularly assess progress and identify any obstacles to successfully achieving inclusion of socially and economically disadvantaged workers and businesses in the design and construction opportunities associated with this project and shall make related recommendations to the division on how to overcome such obstacles and increase the level of minority, women, and veteran workers employed on the project and MBE, WBE and VBE participation as contractors and subcontractors for the project. The committee may participate in public forums and other educational or outreach activities designed to inform the general public about the project as determined by the division. The committee shall consist of: 1 member appointed by the governor who shall serve as chair; the deputy chief of the office of access and opportunity or a designee; the executive director of the supplier diversity office or a designee; the secretary of the department of veterans' services or a designee; the secretary of the executive office of labor and workforce development or a designee; and 14 members appointed by the division of capital asset management and maintenance, 2 of whom shall be representatives of the city of Holyoke as recommended by the mayor of the city of Holyoke, 2 of whom shall be representatives of the union trades working on the project as recommended by the Massachusetts Building Trades Council, 2 of whom shall be representatives of contractors as recommended by an established trade organization in the commonwealth, 2 of whom shall be representatives of WBE and MBE with a demonstrated track record of advancing diversity, equity and inclusion, 2 of whom shall be representatives of an advocacy organization focused on diversity and equity with a demonstrated track record of advancing diversity, equity and inclusion, 2 of whom shall be representatives of organizations that promote the advancement and equity of women as recommended by the Massachusetts commission on the status of women and 2 of whom shall be representatives of organizations that promote the wellbeing of veterans as recommended by the Disabled American Veterans of Massachusetts. Notwithstanding any requirement that certain committee members shall not be named until contracts for the project are signed, the committee shall hold its first meeting not later than 90 days after the passage of this act and shall continue to meet as a full committee until such time as said members are appointed. The division of capital asset management and maintenance shall provide administrative support to the committee as appropriate.

- (iii) (c) The division of capital asset management and maintenance, in consultation with the executive office of labor and workforce development, shall conduct pre-apprentice recruitment and other pipeline programming,

with a goal of reaching underserved communities, to facilitate compliance with goals for minority and women workers and to promote veteran employment on the project. The division may contract with entities or organizations to facilitate such recruitment and pipeline programming.

- (iv) (d) The division of capital asset management and maintenance, in consultation with the access, inclusion and diversity committee, shall set participation goals for MBE, WBE and VBE, as defined by section 58 of chapter 7 of the General Laws, contracting on the project. The division, in consultation with the access, inclusion and diversity committee and the Massachusetts Growth Capital Corporation, shall: (i) conduct outreach and recruitment, prior to the issuance of invitations for bids and requests for proposals of bids, to facilitate the certification and participation of MBE, WBE and VBE based in the commonwealth; (ii) make available technical assistance grants to be used by socially and economically disadvantaged businesses, which may include, but shall not be limited to, MBE, WBE and VBE to facilitate participation in the bid process; (iii) consider programs and incentives for contractors that meet or exceed goals, including, but not limited to, a ‘quick-pay’ program to expedite payment and working capital and offerings from the Massachusetts Growth Capital Corporation. Prior to issuing invitations for bids and requests for proposals and again after bids are awarded, the division shall file a comprehensive report that outlines the steps taken by the division to recruit and certify WBE, MBE and VBE and the progress in meeting contractor and business enterprise goals with the clerks of the senate and house of representatives and with the access, inclusion and diversity committee.
- (v) (e) There shall be no precondition to the award of a contract that a bidder has previously entered into a collective bargaining agreement with a labor organization; provided, however, that the bidder shall be willing to execute and comply with the project labor agreement for the project if it is awarded a contract for the designated project.
- (vi) (f) Any bidder that has a demonstrated record of failure to achieve a workforce or subcontracting diversity goal on a project for the commonwealth shall not be a suitable bidder to receive an award of a contract on the project described in this act.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at nine minutes past two o'clock P.M., on motion of Mr. Pacheco, as follows, to wit (yeas 37 – nays 3) [**Yeas and Nays No. 27**]:

**YEAS.**

Barrett, Michael J.	Gomez, Adam
Boncore, Joseph A.	Hinds, Adam G.
Brady, Michael D.	Jehlen, Patricia D.
Brownsberger, William N.	Keenan, John F.
Chandler, Harriette L.	Kennedy, Edward J.
Chang-Diaz, Sonia	Lesser, Eric P.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Montigny, Mark C.
Crighton, Brendan P.	Moore, Michael O.
Cronin, John J.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.



**UNCORRECTED PROOF.**

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

Pacheco, Marc R.  
Rausch, Rebecca L.  
Rush, Michael F.  
Spilka, Karen E.  
Timilty, Walter F.  
Velis, John C. – 37.

**NAYS.**

Fattman, Ryan C.  
Rodrigues, Michael J.

Tarr, Bruce E. – 3.

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

Ms. Creem in the Chair, Messrs. Boncore, Brady, Gomez, Feeney and Timilty, Ms. Rausch, Ms. Chang-Diaz and Mr. Eldridge moved that the proposed new text be amended by inserting after the word “workers”, in line 135, the following words: “and minority and women owned businesses”.

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The amendment was adopted.

Messrs. Tarr and Eldridge and Ms. Jehlen moved that the proposed new text be amended in line 27, by inserting after the word "Affairs":- “, provided further, that such design and construction shall reflect current and projected needs of the population it is intended to serve, best practices to meet those needs, the quality, effectiveness and efficiency of care to be delivered at the facility, and shall seek to promote the quality of life for those whom it will serve”.

4

After remarks, the amendment was adopted.

Mr. Keenan, Ms. Rausch, Ms. Jehlen and Mr. Montigny moved that the proposed new text be amended by striking, in line 95, the words "levels; and (viii)", and inserting in place thereof the following words:-

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"levels; (viii) an analysis of the accessibility of additional regionally equitable veterans’ homes, including, but not limited to, the availability of existing or proposed bus, commuter rail, shuttle, subway or trolley services for veterans and their family members who may lack car access or may no longer drive; and (ix)".

After remarks, the amendment was adopted.

Messrs. Keenan and Eldridge, Ms. Moran, Ms. Jehlen and Mr. Montigny moved that the proposed new text be amended in section 2, in item 4000-2027, by striking out clause (i) and inserting in place thereof the following clause:-

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"(i) an analysis of the current state of service access across the continuum of care for veterans, including a comparison of the differences between care available to those veterans in the primary service area and those not in the primary service area of the Soldiers’ Home in Massachusetts located in the city of Chelsea or the Soldiers’ Home in Holyoke;”.

The amendment was adopted.

Messrs. Tarr, Timilty and Montigny moved that the proposed new text be amended by inserting in line 25 after the word “health” the following:- “mental health and substance use and recovery”; in line 33 by inserting after the word “health care” the following:- “including mental health and substance use and recovery”; and in line 44 after the word “services” the following:- “including mental health and substance use and recovery”.

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After remarks, the amendment was adopted.

Messrs. Keenan and Eldridge, Ms. Rausch, Ms. Moran, Ms. Jehlen and Messrs. Timilty, Pacheco and Montigny moved that the proposed new text be amended in section 2, in item 4000-2027, by striking out, in lines 75 and 76, the words "5 public hearings in

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areas not in close geographic proximity to the Soldiers' Home in Massachusetts located in the city of Chelsea or the Soldiers' Home in Holyoke" and inserting in place thereof the following words:- "6 public hearings, with at least 1 hearing held in each of the following areas of the commonwealth: (1) the western region; (2) the central region; (3) the metrowest region; (4) the northeastern region; (5) the southeastern region; and (6) Cape Cod or the Islands region,";

In said section 2, in said item 4000-2027, by inserting after the word " services", in line 87, the third time it appears, the following words:- "distributed equitably across the commonwealth";

In said section 2, in said item 4000-2027, by inserting after the word "status", in line 95, the following words:- ", place of residence"; and

In said section 2, in said item 4000-2027, by inserting after the word "status" in line 98, the following words:- ", place of residence".

The amendment was adopted.

Ms. Rausch, Mr. Eldridge and Ms. Jehlen moved that the proposed new text be amended in line 26 by striking out the words "strive to achieve" and inserting in place thereof the following words:- "achieve to the greatest extent feasible". 11

After remarks, the amendment was adopted.

Ms. Rausch and Mr. Eldridge moved that the proposed new text be amended in line 61, by inserting after the word "accessibility" the following words:- ", as well as equitable access for people of all identities, including but not limited to race, religion, sex, gender identity, and sexual orientation,". 12

The amendment was adopted.

Ms. Lovely, Mr. Eldridge, Ms. Jehlen, Messrs. Pacheco, Gomez, Cyr and Timilty and Ms. Rausch moved that the proposed new text be amended in section 2, in item 4000-2027, by inserting after the word "levels", in line 98, the following words:- ", including information for veterans receiving financial or medical assistance benefits under chapter 115 of the General Laws but not including information for veterans who are recipients under institutional or transitional budgets and veterans previously residing in housing through a United States Department of Veterans Affairs supportive housing voucher with medical documentation showing a need for long term care services". 13

The amendment was adopted.

Mr. Tarr and Ms. Jehlen moved that the proposed new text be amended in section 2, in item 4000-2026, by inserting after the word "item", in line 36, the following words:- "; provided further, that the division of capital asset management and maintenance, in consultation with the executive office of health and human services and the department of veterans' services, shall seek to maximize federal reimbursement for funds expended from this item". 14

After remarks, the amendment was adopted.

Ms. DiZoglio, Ms. Moran and Mr. Gomez moved that the proposed new text be amended by inserting after the words "the joint committee on veterans and federal affairs", in each case they appear, the following:- ", the joint committee on racial equity, civil rights, and inclusion,". 15

After remarks, the amendment was adopted.

Messrs. Collins and Gomez moved that the proposed new text be amended in section 2, in item 4000-2027, by striking out clause (iv) and inserting in place thereof the following clause:- 16

"(iv) initial recommendations on the feasibility of establishing 'small house' model design options as defined by the United States Department of Veterans Affairs, distributed equitably across the commonwealth, including an analysis of a veterans' home focused on female veterans and veterans' homes focused on minority veterans in urban centers;"

The amendment was adopted.

Messrs. Tarr and Montigny moved that the proposed new text be amended by inserting in line 32 after the word “aggregate” the following:- “provided, however, that in the planning, design and construction of such facilities the administration shall endeavor at all times to control and minimize costs to the commonwealth through the maximization of efficiencies, cost savings and federal and other non-state cost sharing and/or reimbursements”. 17

The amendment was adopted.

Messrs. Tarr and Montigny moved that the proposed new text be amended in line 67, after the word, “reimbursement” the following:- “,cost savings and efficiencies”. 19

The amendment was adopted.

Mr. Timilty, Ms. Gobi, Messrs. Eldridge and Feeney, Ms. Moran, Ms. Jehlen and Messrs. Pacheco and Gomez moved that the proposed new text be amended in item 4000-2027, in line 67, after the word “facilities;” by adding the following words:- “provided further, the department of veterans’ services shall consider the needs of the changing veteran population in the commonwealth, including but not limited to service-related injuries, mental health, and gender, when designing new homes or facilities”. 20

After remarks, the amendment was adopted.

Mr. Timilty, Ms. Moran, Ms. Jehlen and Messrs. Pacheco and Gomez moved that the proposed new text be amended in item 4000-2027, in line 65, after the word “facilities;” by adding the following words:- “provided further, the division, in consultation with the executive office of health and human services, shall seek input from residential long-term care experts when designing new homes or facilities”. 21

After remarks, the amendment was adopted.

Mr. Tarr, Ms. Rausch and Messrs. Timilty and Montigny moved that the proposed new text be amended by striking in line 125 the following:- “Annually, not later than December 31” and inserting in place thereof the following:- “Every six months, not later than June 30 and December 31”; and in line 138 after the word, “means” the following:- “and posted on the website of the general court, and on the website of the department of veterans’ services”. 22

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 4000-2027, by inserting after the word “homes”, in line 84, the following words:- “using the “small house” model”; and 23

In section 5, by inserting after the word “Improvement”, in line 143, the following words:- “and Equity”.

The amendment was adopted.

The Ways and Means amendment, as amended, was then adopted.

The bill, as amended, was then ordered to a third reading and read a third time.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at thirteen minutes past three o’clock P.M. on motion of Mr. Velis, as follows, to wit (yeas 40 – nays 0) [Yeas and Nays No. 28]:

**YEAS.**

- |                          |                     |
|--------------------------|---------------------|
| Barrett, Michael J.      | Gomez, Adam         |
| Boncore, Joseph A.       | Hinds, Adam G.      |
| Brady, Michael D.        | Jehlen, Patricia D. |
| Brownsberger, William N. | Keenan, John F.     |
| Chandler, Harriette L.   | Kennedy, Edward J.  |
| Chang-Diaz, Sonia        | Lesser, Eric P.     |
| Collins, Nick            | Lewis, Jason M.     |

Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cronin, John J.  
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.  
Spilka, Karen E.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – 40.

NAYS – 0.

**The yeas and nays having been completed at eighteen minutes past three o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2442].**

**Sent to the House for concurrence in the amendment.**

*Order Adopted.*

On motion of Mr. Tarr,--

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

Time of meeting.

*Adjournment in Memory of Rebecca Mann Schmill.*

The Senator from Norfolk, Bristol and Middlesex, Ms. Rausch, and the Senator from Norfolk and Suffolk, Mr. Rush, moved that when the Senate adjourns today it do so in memory of Rebecca Mann Schmill of Needham.

We're adjourning today in memory of Rebecca Mann Schmill and the many other young lives in the commonwealth impacted by trauma and substance use disorder.

Becca passed away unexpectedly from an accidental drug overdose on September 16, 2020, at the age of 18. She had recently graduated from high school and was planning to attend the University of Richmond, where she hoped to study psychology.

Becca was a beautiful and caring person with a gift for making those around her feel loved and appreciated. She was funny, adventurous and willful, and had a smile that could light up a room. As a school friend said of Becca: "She managed to make those around her smile even when she wasn't in our presence.... She will always be loved and will always be in our hearts."

Becca had a strong sense of equity and fairness. Four years ago, she traveled to Opatoro, Honduras as part of a medical brigade led by Community Health Partnership-Honduras. This experience had a profound effect on her understanding of the world and her passion for social justice. No doubt Becca's life pursuits would have centered around helping others, just as was the case with her grandfather, Teddy Mann, whose lifelong dedication to public service included 8 years as a State Representative in this very building.

In addition to Becca's many wonderful qualities, it is important for us to remember the struggles she endured during her short life because, in sum, they cover a spectrum of life-altering challenges that adolescents face today. At age 15, she was raped by a high

school student from another town this was followed by a traumatizing incident of cyberbullying. Her difficulty coping with her traumas was amplified by undiagnosed ADHD, which persisted under the radar until she was 18.

While Becca was fortunate to have access to strong family, community, and professional supports, there was something missing in her journey toward healing - the remedy she needed most - a sincere apology and acknowledgement of her humanity from those who had harmed her. So simple and seemingly obvious, yet not a routine part of our system of justice. Instead of the compassion she longed for to steady her world, she experienced periodic after-shocks set off by her peers through social media.

Becca's story is a reminder that her generation is not like any that has come before. It is the first to grow up engulfed in the distractions, judgments, and unrealistic expectations of social media. It is the first to grow up with virtually unfettered access to many high-risk situations. It is the first to grow up vulnerable to undeniably life-altering cyberbullying. Today's adolescents navigate a world that is bigger, faster, and more chaotic than ours was - a world that demands tremendous effort to find peace. It should be no surprise that they are more anxious and depressed than past generations.

As we adjourn today in memory of the beautiful soul that was Becca Schmill, let us contemplate what we, as legislators, can do to slow down the relentless adolescent treadmill and silence the incessant noise. Because our children deserve quiet time and space - free from judgment. They deserve to be surrounded by empathetic cohorts who value kindness, caring, and respect above all else. They deserve to live, and to learn, in safe, supportive, trauma-sensitive environments. And each and every child in our Commonwealth surely deserves to grow to adulthood, unscarred by their youth.

Accordingly, as a mark of respect to the memory of Rebecca Mann Schmill, at nineteen minutes past three o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.