
The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, JULY 7, 2022

[57]

JOURNAL OF THE SENATE

Thursday, July 7, 2022.

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

The Chair (Mr. Brownsberger), 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 Honorable Karen E. Spilka, President of the Senate, announcing the appointment of Alyndra Canty (under Section 2A of Chapter 71B of the General Laws) to the Bureau of Special Education Appeals Council and the appointment of Dr. Margaret Weiss (under Chapter 77 of the Acts of 2022) to the Behavioral Health Advisory Commission (received July 5, 2022);

Senate President Spilka,-- appointments. SD3246

Communication from the Department of Public Health relative to its plan of correction for the MCI Concord inspection on March 16 and 17, 2022 (received July 5, 2022); and

DPH,-- plan of correction. SD3243

Communication from the Massachusetts State House Press Association (pursuant to Joint Rule 32) submitting a list of additional legislative reporters who constitute the Massachusetts State House Press Association and the State House Broadcasters Association (received July 6, 2022).

SHPA,-- updated membership. SD3244

Report.

Report of the Executive Office of Labor and Workforce Development (pursuant to item 1790-3009 of Section 2 of Chapter 151 of the Acts of 2020) submitting its fourth quarterly report on the deployment of an online delivery system for unemployment insurance compensation benefits (received July 7, 2022),-- **was placed on file.**

EOLWD,-- online UI report. SD3247

Petitions.

Petitions were severally presented and referred as follows:

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 2991) of Adam G. Hinds and Paul W. Mark (by vote of the town) for legislation to exempt all positions in the police department of the town of Dalton from the civil service law [Local approval received];

Dalton,-- police department.

**Under Senate Rule 20, to the committee on Public Service.
Sent to the House for concurrence.**

By Mr. Collins, a petition (accompanied by bill) (subject to Joint Rule 12) of Nick Collins, Daniel J. Hunt and David Biele for legislation relative to sustainability and resiliency in the Dorchester section of the city of Boston,-- **under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

Boston,-- land. SD3248

Order.

Mr. Eldridge presented an Order relative to granting the committee on the Judiciary until July 22, 2022 within which time to make its final report on current Senate documents

Judiciary,-- extension.

numbered 47, 946, 1035, 1037, 1091, 1133, 2607 and 2791 relative to judiciary matters (Senate, No. 2986);

Referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently.

Reports of Committees.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition (accompanied by bill, Senate, No. 1638), an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document relative to media access and transparency in correctional facilities (Senate, No. 2967) [Senator Rausch dissenting];

Public Safety and Homeland Security committee,-- study.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1599), an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of a certain current Senate document to remove barriers to medical parole (Senate, No. 2968) [Senators Eldridge and Rausch dissenting]; and

Id.

By the same Senator, for the same committee, on Senate, Nos. 1541 and 1578, an Order relative to authorizing the joint committee on Public Safety and Homeland Security to make an investigation and study of certain current Senate documents relative to public safety and homeland security matters (Senate, No. 2969) [Senator Eldridge dissenting].

Id.

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

By Mr. Keenan, for the committee on Housing, on petition, a Bill to guarantee a tenant's first right of refusal (Senate, No. 890) [Senators Chandler, Keenan and Lovely and Representatives DeCoste of Norwell and Muradian of Grafton dissenting];

Tenants,-- right of refusal.

By Mr. Eldridge, for the committee on the Judiciary, on Senate, Nos. 976 and 1057, a Bill relative to probation violations (Senate, No. 1057);

Probation violations.

By Mr. Timilty, for the committee on Public Safety and Homeland Security, on petition, a Bill relative to police pursuits (Senate, No. 1631) [Senator Eldridge dissenting];

Police pursuits,-- fines.

By the same Senator, for the same committee on petition, a Bill to prevent the illegal possession and illegal sale of firearms (Senate, No. 1633);

Firearms,-- possession and sale.

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 1552), a Bill to create alternatives for community emergency services (Senate, No. 2970);

Emergency services,-- pilot program.

By the same Senator, for the same committee, on Senate, Nos. 1542, 1594, 1601, 2125 and 2457 and House, Nos. 2508 and 3821, a Bill relative to the creation of the Massachusetts Public Safety Building Authority (Senate, No. 2971); and

Public Safety Building Authority.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill relative to certain easements (Senate, No. 2011);

Native American land,-- easements.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4985) of Carmine Lawrence Gentile and Alice Hanlon Peisch (by vote of the town) that the town of Wayland be authorized to allow remote and hybrid participation at town meetings in said town;

Wayland,-- town meetings.

To the committee on Election Laws.

Petition (accompanied by bill, House, No. 4964) of Denise C. Garlick (by vote of the

Needham,-- Housing Authority.

town) relative to the appointment of a tenant member to the board of the Needham Housing Authority in the town of Needham;

East Bridgewater,-- sewer district.

Petition (accompanied by bill, House, No. 4971) of Alyson M. Sullivan, Michael D. Brady and others (by vote of the town) for legislation to establish the North Bedford Street sewer district in the town of East Bridgewater;

East Bridgewater,-- roads.

Petition (accompanied by bill, House, No. 4972) of Alyson M. Sullivan, Michael D. Brady and others (by vote of the town) relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater;

Barnstable,-- easement.

Petition (accompanied by bill, House, No. 4986) of Kip A. Diggs (with the approval of the town council) that the city known as the town of Barnstable be authorized to grant an easement in said town to Park City Wind LLC; and

Marshfield,-- board of selectman.

Petition (accompanied by bill, House, No. 4987) of Patrick Joseph Kearney (by vote of the town) relative to changing the name of the board of selectmen to select board in the town of Marshfield;

Severally to the committee on Municipalities and Regional Government.

East Bridgewater,-- police department.

Petition (accompanied by bill, House, No. 4973) of Alyson M. Sullivan, Michael D. Brady and Gerard J. Cassidy (by vote of the town) that the town of East Bridgewater be authorized to exempt uniformed positions within the police department of said town from the civil service law;

To the committee on Public Service.

A Bill establishing a pilot program allowing for in-person payment of daily parking fees at certain commuter rail stations operated by the Massachusetts Bay Transportation Authority (House, No. 3461,-- on petition),-- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

MBTA,-- commuter rail parking.

Bills

Relative to property tax exemptions for affordable accessory dwelling unit rental properties in the city of Salem restricted as affordable housing (House, No. 4300,-- on petition) [Local approval received];

Salem,-- affordable housing.

Authorizing the town of Westford to grant one additional license for the sale of all alcoholic beverages (House, No. 4666,-- on House, No. 4196) [Local approval received on House, No. 4196]; and

Westford,-- liquor license.

Changing the board of selectmen of the town of Lee to a select board (House, No. 4729,-- on petition) [Local approval received];

Lee,-- board of selectmen.

Were severally read and, under Senate Rule 26, placed in the Orders of the Day for the next session.

Recess.

Recess.

There being no objection, at twenty minutes past eleven o'clock A.M., the Chair (Mr. Brownsberger) declared a recess subject to the call of the Chair; and at five minutes past two o'clock P.M., the Senate reassembled, 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).

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 severally passed to be enacted and were signed by the Acting President (Mr.

Brownsberger) and laid before the Governor for his approbation, to wit:

Authorizing the city of Taunton to contract for the renewal of services relative to the operation and maintenance of its wastewater treatment plant, sewers and pump stations, for a term not to exceed 5 years (see Senate, No. 2705); and

Exempting certain affordable housing in the Jamaica Plain section of the city of Boston from public procurement laws (see House, No. 4205, amended).

Bills laid before the Governor.

Emergency Preamble Adopted.

An engrossed Bill designating a certain boat launch area in the town of Rutland as the Detective John D. Songy Boat Launch (see Senate, No. 535), 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.

Rutland,-- Songy Boat Launch.

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

A petition (accompanied by bill, House, No. 4988) of Mathew J. Muratore, Susan L. Moran and Kathleen R. LaNatra (by vote of the town) that the town of Plymouth be authorized to hold remote representative town meetings,-- came from the House, having been referred to the committee on Municipalities and Regional Government.

Plymouth,-- town meetings.

The Senate NON-concurred in the reference to the committee on Municipalities and Regional Government.

On motion of Mr. Finegold, the petition was referred to the committee on Election Laws.

Sent to the House for its action.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the Senate petition of Ryan C. Fattman and Brian M. Ashe for legislation to authorize the transfer of care and control of land in the town of Monson.

Monson,-- land transfer. SD3241

Senate Rule 36 was suspended, on motion of Ms. Gobi and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight.

Sent to the House for concurrence.

Ms. Lovely, for the committee on Rules, reported that the following matter be placed in the Orders of the Day for the next session:

The Senate Bill relative to the 2022 annual town meeting for the town of Tisbury (printed in Senate, No. 2611) (the committee on Rules recommending that the bill be amended by substituting a new draft entitled "An Act authorizing the town of Tisbury to hold 2022, 2023 and 2024 town meetings outside of the geographic limits of the town if necessary for health and safety", Senate, No. 2990).

Tisbury,-- town meeting.

There being no objection, the rules were suspended, on motion of Mr. Cyr, and the bill was read a second time and was amended, as recommended by the committee on Rules.

The bill (Senate, No. 2990) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

A Bill relative to recall elections in the town of Granby (House, No. 4549,-- on House, No. 4285) [Local approval received on House, No. 4285],-- was read.

Granby,-- elections.

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

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

Petition (accompanied by bill, House, No. 5001) of Jon Santiago for an investigation and study by a special commission (including members of the General Court) relative to the public and private diagnostic testing infrastructure in the Commonwealth and to make recommendations to increase preparedness for future pandemics, epidemics and emerging pathogens;

Pandemics,-- preparedness.

Under suspension of Joint Rule 12, to the committee on Covid-19 and Emergency Preparedness and Management.

Petition (accompanied by bill, House, No. 5002) of Peter Barbella relative to the assessed property tax valuation of certain long term residences;

Residences,-- property tax.

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

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Providing for the laying out and acceptance of certain ways by the city of Attleboro (House, No. 4355);

Second reading bills.

Authorizing the town of Middlefield to continue the employment of Fire Chief Ronald Radwich (House, No. 4717);

Relative to town meeting in the town of Burlington (House, No. 4764); and

Relative to incumbent town meeting members in the town of Burlington (House, No. 4765).

The Senate Bill authorizing Nikos Sofronas to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (Senate, No. 1697),-- **was read a third time and passed to be engrossed.**

Third reading bills.

Sent to the House for concurrence.

The Senate Bill further regulating a certain property exemption in the town of Hamilton (Senate, No. 2581) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed.**

Sent to the House for concurrence.

The House Bill amending the charter of the town of North Andover with respect to town meeting warrant posting (House, No. 3747) (its title having been changed by the committee on Bills in the Third Reading),-- was read a third time.

North Andover,-- town meeting.

Pending the question on passing the bill to be engrossed, Ms. DiZoglio moved to amend the bill by striking out section 2.

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.

There being no objection, during consideration of the Orders of the Day, the following matter was considered, as follows:

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill designating a certain boat launch area in the town of Rutland as the Detective John D. Songy Boat Launch (see Senate, No. 535) (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 Acting President (Mr. Brownsberger) and laid before the Governor for his approbation.**

Bill laid before the Governor.

Orders of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),-- was read a second time.

Early education and care,-- access.

There being no objection, during consideration of the Orders of the Day, the following matters were considered, as follows:

PAPERS FROM THE HOUSE

Orders.

Ms. Creem in the Chair, the following House Orders (severally approved by the committees on Rules of the two branches, acting concurrently) were considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Sunday, July 31, 2022 within which time to make its final report on current House documents numbered 4818 and 4821.

Health Care Financing,-- extension order.

The rules were suspended, on motion of Ms. Friedman, and the order (House, No. 4970) was considered forthwith.

After debate, the question of adoption of the order was determined by a standing vote, on motion of Mr. Tarr, and it was adopted, in concurrence by a vote of 8 to 1.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Sunday, July 31, 2022 within which time to make its final report on current House documents numbered 1101, 2316, 2320, 4036, 4812, 4813 and 4814.

Id.

The rules were suspended, on motion of Ms. Friedman, and the order (House, No. 4918) was considered forthwith.

After debate, the question of adoption of the order was determined by a standing vote, on motion of Mr. Tarr, and it was adopted, in concurrence by a vote of 8 to 1.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Health Care Financing be granted until Sunday, July 31, 2022 within which time to make its final report on current Senate documents numbered 163, 627, 685, 690, 717, 770, 1384, 1471, 2542 and 2774, and House documents numbered 1106, 1145, 1147, 1224, 1284 and 2359.

Id.

The rules were suspended, on motion of Ms. Friedman, and the order (House, No. 4834) was considered forthwith.

After debate, the question of adoption of the order was determined by a standing vote, on motion of Mr. Tarr, and it was adopted, in concurrence by a vote of 8 to 1.

Order of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),-- was again considered.

Early education and care,-- access.

After remarks, pending the question on adoption of the amendment previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2973), and pending the main question on ordering the bill to a third reading, Ms. Rausch, Messrs. Eldridge, Pacheco and Montigny, Ms. Jehlen, Ms. Chang-Diaz and Mr. Keenan moved to amend the proposed new draft in section 13, by striking out, in lines 248 and 249, the words “the department may consider length of time families wait to receive a subsidy” and inserting in place thereof the following words:- “a family below the federal poverty limit shall not have its priority status on a waitlist negatively impacted by a family with income above the federal poverty limit”.

1

After remarks, the amendment was adopted.

Ms. Rausch and Mr. Eldridge moved to amend the proposed new draft be amended by inserting after section 24 the following section:-

2

“SECTION 24A. Unless otherwise specified, the reports required pursuant to sections 17 to 24, inclusive, shall be made publicly available on the department of early education and care’s website.”

After remarks, the amendment was adopted.

Mr. Keenan, Ms. Comerford, Ms. Moran, Ms. Rausch and Ms. Gobi moved to amend the proposed new draft in section 11, in proposed section 5A of chapter 15D, by striking out subsection (a) and (b) and inserting in place there of the following subsections:-

4

“(a) There shall be an early education and child care workforce development advisory council that shall consist of: the secretary of education or a designee, who shall serve as co-chair; the secretary of labor and workforce development or a designee, who shall serve as co-chair; the commissioner of early education and care or a designee; the commissioner of higher education or a designee; the chairs of the joint committee on education or their designees; the chairs of the joint committee on labor and workforce development or their designees; the chairs of the joint committee on higher education or their designees; 1 member who shall be appointed by the minority leader of the senate; 1 member who shall be appointed by the minority leader of the house of representatives; the president of the commonwealth corporation or a designee; 3 members with current early education and care experience appointed by the commissioner of early education and care, 1 of whom shall be a family child care provider, 1 of whom shall be a center-based provider and 1 of whom shall be an early education and care provider with not more than 6 years of classroom experience; and the following members who shall be appointed by the co-chairs, 1 of whom shall be a representative of the Massachusetts Child Care Resource and Referral Network, Inc., 1 of whom shall be a representative of the Massachusetts Association of Early Education & Care, 1 of whom shall be a representative of Jumpstart for Young Children, Inc., 1 of whom shall be a representative of the Common Start Coalition, 1 of whom shall be a representative of the Black Economic Council of Massachusetts, Inc., 1 of whom shall be a representative of the Massachusetts Afterschool Partnership, Inc., 1 of whom shall be a representative of the Massachusetts Association of Chamber of Commerce Executives, Inc., 1 of whom shall be a representative of Massachusetts Workforce Association, Inc., 1 of whom shall be a representative of the Massachusetts Association of Community Colleges, 1 of whom shall be a representative of the Public Higher Education Network of Massachusetts Inc., 1 of whom shall be the president of a community college or a designee, 1 of whom shall be a representative of the Massachusetts

Head Start Association, Inc., 1 of whom shall be a representative of the Massachusetts Association for the Education of Young Children, Inc., 1 of whom shall be a representative of the Massachusetts Association of Early Childhood Teacher Educators, 1 of whom shall be a representative of the Massachusetts Business Coalition for Early Childhood Education, 1 of whom shall be a representative of Strategies for Children, Inc., 1 of whom shall be a representative of the Alliance of Massachusetts YMCAs, Inc., 1 of whom shall be a representative of the United Way of Massachusetts Bay, Inc., 1 of whom shall be a representative of the Massachusetts Business Roundtable, 1 of whom shall be a representative of Massachusetts Project Access: Coalition of Faith Based Schools, 1 of whom shall be a representative of the Greater Boston Chamber of Commerce, 1 of whom shall be a representative of Neighborhood Villages, Inc., 1 of whom shall be a representative of the Associated Industries of Massachusetts, Inc. and 1 of whom shall be a representative of the Service Employees International Union Local 509. Appointees on the advisory council shall reflect geographically diverse regions of the commonwealth to ensure regional equity within the council.

(b) The advisory council shall regularly make recommendations to the secretary of labor and workforce development, the secretary of education, the commissioner of early education and care and the commissioner of higher education on (i) the improvement of the design, oversight and implementation of workforce development programs for early childhood educators and (ii) enhancing professional development and higher education opportunities necessary for the growth and stability of a high quality early education and care workforce.”

After remarks, the amendment was adopted.

Ms. Rausch and Mr. Eldridge moved to amend the proposed new draft in section 13, by inserting after the word “working”, in lines 227 and 228, each time they appear, the following words:- “or are engaged in an approved service need activity”; and

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In said section 13, in proposed section 13A of chapter 15D, by striking out subsection (m) and inserting in place thereof the following 2 subsections:-

“(m) To the extent allowable under federal law and regulation, no subsidy provided under this section shall be counted as income or assets for the purpose of disqualifying any person from eligibility for any other government benefit for which the person is otherwise eligible, including, but not limited to, transitional aid to families with dependent children benefits.

(n) The department shall, in accordance with chapter 30A, promulgate any regulations necessary to implement this section.”

After remarks, the amendment was adopted.

Ms. Moran, Ms. Rausch, Mr. Eldridge, Ms. Chang-Diaz and Messrs. Pacheco and Cyr moved to amend the proposed new draft in section 13, in proposed section 13A of chapter 15D, by striking out subsection (j) and inserting in place thereof the following subsection:-

9

“(j) The department or its agents shall not reduce, terminate or deny continued subsidies to a family unless and until the family is determined to be ineligible and is given the opportunity for an administrative review. If the department or its agents, after such administrative review, reduce, terminate or deny a family’s child care subsidy, the department shall provide the family with an opportunity for an administrative appeal hearing and shall process the appeal within 60 days from the date the request is made. While an administrative review, or, if applicable, an administrative appeal hearing, subject to rules and regulations promulgated by the department, is pending and until a final determination is made, subsidized child care services shall continue after receipt of a notice of reduction, termination or denial of continued subsidies.”

The amendment was adopted.

Mr. Timilty moved to amend the proposed new draft by adding the following section:-

10

“SECTION XX. Subsection (a) of section 7 of chapter 15D of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by adding the following paragraphs:-

(iv) As part of the department’s licensing and background record check process, the department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for present or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program or facility licensed, approved or funded by the department. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may impact the health and safety of any resident at facilities licensed by the department pursuant to 606 CMR 3.03 and 606 CMR 7.03.

(v) As part of the department’s licensing and background check process, the department shall maintain an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B of chapter 119 for current or prospective employees or other persons providing child care or support services with the potential for unsupervised contact with children in any program funded, operated, approved or licensed by the department.

SECTION XX. Section 38R of chapter 71 of the General Laws, as appearing in the 2016 Official Edition, is hereby amended by inserting after the first paragraph the following paragraphs:-

The department shall enter into an interagency service agreement with the disabled persons protection commission established by section 2 of chapter 19C to allow for the sharing of information resulting from investigations of allegations of abuse or neglect pursuant to section 5 of said chapter for any current or prospective employee within the school district or any program or facility approved or funded by the department who may have direct and unmonitored contact with children. The disabled persons protection commission shall be responsible for notifying the department of any complaints or serious incidents that may impact the health and safety of any student at schools licensed by the department pursuant to 603 CMR 28.09 or public school districts.

The department shall enter into an interagency service agreement with the department of children and families established by section 1 of chapter 18B to allow for the sharing of information resulting from investigations of abuse or neglect pursuant to sections 51A and 51B of chapter 119 for current or prospective employees or other persons who may have direct and unmonitored contact with children in a school district or any program or facility approved or funded by the department.”

The amendment was *rejected*.

Ms. Moran and Mr. Cyr moved to amend the proposed new draft in section 11, by inserting in line 135, after the word “commerce”, the following words:- “, 1 of whom shall be a representative of the Plymouth Area Chamber of Commerce; 1 of whom shall be a representative of Cape Cod Chamber of Commerce”; and

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In said section by inserting in line 140, after the word “509.” the following new words:- “The commission membership shall include representation from all regions of the Commonwealth.”

The amendment was *rejected*.

Ms. Moran, Mr. Cyr, Ms. Gobi and Ms. Comerford moved to amend the proposed new draft in section 12, in proposed section 12A of chapter 15D, by striking out subsection (b) and inserting in place thereof the following subsection:-

13

“(b) The data advisory commission shall consist of: the commissioner of early education and care or a designee, who shall serve as chair; the secretary of education or a designee; 14 members who shall have demonstrated knowledge and experience in data collection and analysis for the purpose of improving access to high-quality and affordable early education and child care services, 1 of whom shall be appointed by the Massachusetts Association for Early Education & Care, Inc., 1 of whom shall be appointed by the Massachusetts Budget and Policy Center, Inc., 1 of whom shall be appointed by Neighborhood Villages Inc., 1 of whom shall be appointed by the Alliance of Massachusetts YMCAs, Inc., 1 of whom shall be appointed by the Massachusetts Head Start Association, Inc., 1 of whom shall be appointed by the Massachusetts Afterschool Partnership, Inc., 1 of whom shall be appointed by the Common Start Coalition, 1 of whom shall be appointed by the Massachusetts Early Childhood Funder Collaborative, 1 of whom shall be appointed by the Massachusetts Business Roundtable, 1 of whom shall be appointed by the Massachusetts Business Coalition for Early Childhood Education, 1 of whom shall be appointed by the Boston Foundation, Inc., 1 of whom shall be appointed by Jumpstart for Young Children, Inc., 1 of whom shall be appointed by Strategies for Children, Inc. and 1 of whom shall be appointed by Massachusetts Taxpayers Foundation, Inc.; and 5 members who shall be appointed by the commissioner, 1 of whom shall be a family child care provider, 1 of whom shall be a center-based provider, 1 of whom shall be a parent of a child currently enrolled in an early education and child care program and 2 of whom shall have professional experience and knowledge in the area of data collection, quality and usage in establishing education policy and improving child and family outcomes. Appointees on the advisory commission shall reflect geographically-diverse regions of the commonwealth to ensure regional equity within the commission.”

After remarks, the amendment was adopted.

Mr. Moore, Ms. Gobi, Ms. Rausch, Mr. Fattman, Ms. Moran and Mr. Montigny moved to amend the proposed new draft in line 438, by inserting after the words “for children and staff,” the following words:- “trauma-informed care practice,”. 14

After remarks, the amendment was adopted.

Mr. Timilty, Ms. Gobi and Messrs. Montigny and O'Connor moved to amend the proposed new draft in section 15, in subsection (b), by adding the following clause:- “(v) opportunities for collaboration and mentorship between grant recipients and vocational schools with curriculums that include early education and care”. 16

After remarks, the amendment was adopted.

Ms. Moran, Ms. Rausch, Mr. Eldridge, Ms. Chang-Diaz and Messrs. Moore, Timilty, Pacheco, Montigny, O'Connor, Keenan and Cyr moved to amend the proposed new draft in section 10, in the second paragraph of section 2 of chapter 15D, by striking out proposed clause (v) and inserting in place the following clause:- 18

“(v) annually, in consultation with the data advisory commission established in section 12A, collect and make publicly available on the department’s website data that provides information on the cost and quality of early education and child care services; provided, however, that the data shall include, but not be limited to, the: (1) number of licensed or exempt child care providers; (2) total cost of subsidies provided by the department or its agents; (3) total number of all children receiving early education and care subsidies by region, age, type of care, race and ethnicity and disability status of the child, primary language of the household, number of adults in the household and the income range of the household; (4) average monthly number and percentage of utilized contracted slots and vouchers by region and type of care provided; (5) per cent of children enrolled in each subsidized child care program whose family has an income of not more than 85 per cent of the state median income; (6) tuition charged for full-time and part-time early education and child care services by age group; and (7) number of children enrolled by age

group, family income range, race, ethnicity, country of origin and preferred language.”;

In section 12, by inserting after the word “care”, in line 165, the second time it appears, and inserting in place thereof the following words:- “, race and ethnicity, country of origin and disability status of the child, primary language of the household, number of adults in the household and income range of the household”;

In said section 12, by striking out, in lines 168 and 169, the words “type of care and other demographic characteristics” and inserting in place thereof the following words:- “age, type of care, race and ethnicity, country of origin and disability status of the child, primary language of the household, adults in the household and income range of the household; (D) the total cost of the subsidies provided; and (E) the average monthly number and percentage of utilized contracted slots by region”; and

By inserting after section 24 the following section:-

“SECTION 24A. The first annual publication of the data required pursuant to clause (v) of the second paragraph of section 2 of chapter 15D of the General Laws shall be made publicly available on the department’s website not later than June 30, 2023.”

After remarks, the amendment was adopted.

Mr. Moore, Ms. Rausch and Messrs. O’Connor, Keenan and Brady moved to amend the proposed new draft in section 3, in chapter 15A, by striking out proposed section 19F and inserting in place thereof the following section:-

“Section 19F. (a) Subject to appropriation, the board shall, in coordination with the board of early education and care, establish an early education and child care educator scholarship program for early education and child care sector educators pursuant to clause (10) of section 5 of chapter 15D, including, but not limited to, standards and application criteria for the administration of the program including mechanisms to ensure the scholarship provides meaningful improvements in the delivery of high-quality early education and child care.

(b) The scholarship may be used to cover the cost of tuition, fees or course-related expenses, including, but not limited to, supports unique to the diverse learning needs of the field, including personal child care expenses in order to attend classes and class meetings, and other supports deemed appropriate by the boards, for credential, certificate or degree-granting programs for early educators who are pursuing early education credentials, associate-level or bachelor-level degrees to meet the teacher and program quality standards of the department of early education and care.

(c) The board of higher education and the board of early education and care shall determine the scholarship amount; provided, however, that each scholarship amount shall, at a minimum, be sufficient to cover the full cost of a credential or certificate at a boards approved provider; and provided further, that the cost of a municipally-owned college credential or certificate shall be considered when determining scholarship amounts.

(d) Eligible recipients shall be current or prospective early education and child care educators and providers employed in early education and child care programs in the commonwealth who commit to teaching in early education and child care programs for a term of service to be determined by the boards and shall reflect the diversity of the commonwealth’s early education and child care workforce.

(e) Preference shall be given to applicants identified as providers who have displayed a proven commitment to early childhood education.

(f) The program shall be administered by the department, in collaboration with the department of early education and care, in a manner that ensures recipients receive adequate support in selecting programs and courses that lead to credentials and further their career in early education and child care.”

After remarks, the amendment was adopted.

Mr. Moore, Ms. Moran and Mr. O’Connor moved to amend the proposed new draft

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in section 9, in proposed clause (e) of the second paragraph of section 2 of chapter 15D, by striking out subclause (1) and inserting in place thereof the following subclause:- “(1) a rate structure for voucher and contracted payments to providers of subsidized early education and child care programs and services on behalf of income eligible and other at-risk children based on meeting the cost of providing high-quality early education and child care programs to such children in conformity with federal and state law, regulations and quality and safety standards”.

After remarks, the amendment was adopted.

Mr. Gomez, Ms. Chang-Diaz, Ms. Jehlen, Ms. Rausch, Mr. O'Connor, Ms. Gobi and Ms. Edwards moved to amend the proposed new draft in section 3, in chapter 15A, by striking out proposed section 19G and inserting in place thereof the following section:-

“Section 19G. Subject to appropriation, the board shall, in coordination with the board of early education and care, establish an early education and child care educator loan forgiveness program for early education and child care sector educators in the commonwealth pursuant to clause (10) of section 5 of chapter 15D with preference given to applicants identified as providers who : (i) have displayed a proven commitment to early childhood education and who work in communities predominantly serving children and families with high needs, as defined under section 1A of said chapter 15D; (ii) are members of a group that is at a social or economic disadvantage or is underrepresented in the early education and child care sector; or (iii) other areas with a shortage of early education and child care slots.”

After remarks, the amendment was adopted.

Mr. Gomez, Ms. Chang-Diaz and Ms. Jehlen moved to amend the proposed new draft in section 15, by striking out, in lines 337 to 339, inclusive, the words “costs to the provider of providing quality care in areas of need such as serving infants and toddlers, providing non-standard hours of care, or providing care in areas that have overall shortages of early education and care slots” and inserting in place thereof the following words:- “the cost to child care providers of providing quality care, including, but not limited to, serving infants and toddlers, providing non-standard hours of care and providing care in socially and economically disadvantaged and historically underrepresented communities with shortages of early education and care slots.”

After remarks, the amendment was adopted.

There being no objection, during consideration of the Orders of the Day, the following matter was considered, as follows:

PAPER FROM THE HOUSE

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Sunday, July 31, 2022 within which time to make its final report on current Senate documents numbered 88 and 114, and House documents numbered 211 and 240.

The rules were suspended, on motion of Mr. Gomez, and the order (House, No. 4840) was considered forthwith.

After debate, the question of adoption of the order was determined by a standing vote, on motion of Mr. Tarr, and it was adopted, in concurrence by a vote of 7 to 1.

Order of the Day.

The Orders of the Day were further considered as follows:

27

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Children, Families and Persons with Disabilities,-- extension order.

The Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),-- was further considered, the main question being on ordering the bill to a third reading.

Ms. Gobi, Mr. Gomez, Ms. Moran, Ms. Comerford and Messrs. Keenan, Tarr and Pacheco moved to amend the proposed new draft in section 16, by striking out subsection (a) and inserting in place thereof the following subsection:-

“(a) There shall be a special commission to study and make recommendations on employer-supported child care benefits.

The commission shall consist of: the chairs of the joint committee on education or their designees, who shall serve as co-chairs; 1 member who shall be appointed by the minority leader of the senate; 1 member who shall be appointed by the minority leader of the house of representatives; the chairs of the joint committee on labor and workforce development or their designees; the secretary of education or a designee; the secretary of housing and economic development or a designee; the secretary of labor and workforce development or a designee; 15 members appointed by the co-chairs, 1 of whom shall be a representative of the Massachusetts Association for Early Education & Care, Inc., 1 of whom shall be a representative of Massachusetts Budget and Policy Center, Inc., 1 of whom shall be a representative of the Common Start Coalition, 1 of whom shall be a representative of the Massachusetts Early Childhood Funder Collaborative, 1 of whom shall be a representative of the Massachusetts Business Roundtable, 1 of whom shall be a representative of the Greater Boston Chamber of Commerce, 1 of whom shall be a representative of the Massachusetts Association of Chamber of Commerce Executives, Inc., 1 of whom shall be a representative of the Massachusetts Taxpayers Foundation, Inc., 1 of whom shall be a representative of the Associated Industries of Massachusetts, Inc., 1 of whom shall be a representative of the Boston Foundation, Inc., 1 of whom shall be a representative of Neighborhood Villages, Inc., 1 of whom shall be a representative of Strategies for Children, Inc., 1 of whom shall be a representative of the Service Employees International Union Massachusetts State Council, 1 of whom shall be appointed by the Alliance of Business Leadership and 1 of whom shall be a representative of Massachusetts Business Coalition for Early Childhood Education; provided, however, that at least 1 member appointed by the co-chairs shall work at a company that does not offer employer-supported child care benefits; 1 member who shall be appointed by the Retailers Association of Massachusetts, Inc., who shall be an owner of a small business; and 2 members who shall be appointed by the commissioner of early education and care, 1 of whom shall be a family child care provider and 1 of whom shall be a center-based provider. Appointees on the commission shall reflect geographically diverse regions of the commonwealth to ensure regional equity within the commission.”.

After remarks, the amendment was adopted.

Mr. Tarr moved to amend the proposed new draft by inserting after section _ the following sections:-

“SECTION _ . Subsection (x) of said section 6 of said chapter 62, as most recently amended by section 31 of chapter 102 of the acts of 2021, is hereby further amended by striking out the figure ‘240’ and inserting in place thereof the following figure:- ‘480’.

SECTION _ . Said subsection (x) of said section 6 of said chapter 62, as so amended, is hereby further amended by striking out the figure ‘480’ and inserting in place thereof the following figure:- ‘960’.

SECTION _ . Subsection (y) of said section 6 of said chapter 62, as most recently amended by section 33 of said chapter 102, is hereby further amended by striking out the figure ‘180’ and inserting in place thereof the following figure:- ‘360’.

SECTION _ . Said subsection (y) of said section 6 of said chapter 62, as so amended, is hereby further amended by striking out the figure ‘360’ and inserting in place thereof

the following figure:- ‘720’.”

After remarks, the amendment was *rejected*.

Mr. Tarr and Ms. Moran moved to amend the proposed new draft by inserting after section 24 the following section:- 34

“SECTION 24A. Not later than January 15, 2023, the department of early education and care, in conjunction with the executive office of administration and finance, shall file a report on the feasibility and implementation of a tax credit for early educators with the clerks of the senate and house of representatives, the senate and house committees on ways and means and the joint committee on education.”

After remarks, the amendment was adopted.

Mr. Tarr moved to amend the proposed new draft by inserting after section _ the following section:- 35

“SECTION _ . Notwithstanding any general or special law to the contrary, the Department of Early Education and Care shall develop a comprehensive guide to financial assistance for child care in the commonwealth, provided that such guide shall account for geographic differences and all other relevant factors, and shall clearly list and describe eligibility criteria. Said guide shall be distributed in print to public libraries, day care facilities, and other appropriate locations, and shall be posted conspicuously by electronic means in a manner accessible to the public.”

After remarks, the amendment was *rejected*.

Ms. Chang-Diaz, Ms. Rausch and Mr. Eldridge moved to amend the proposed new draft in section 14, by striking lines 237 to 262 and inserting in place thereof, the following words:- “Subject to appropriation, the department shall by fiscal year 2030 subsidize the cost of early education and child care services to all families in need of these services, whose income does not exceed 125 per cent of the state median income. In the intervening period, the department shall raise eligibility for income eligible subsidies, in phases and based on available funding in the following manner: first priority shall be provided to those children whose family’s household income is not more than 50 per cent of the state median income or children with a documented disability whose family’s household income is not more than 85 per cent of the state median income and to all children in families who are experiencing homelessness or who are headed by a parent under the age of 20; and provided further, that second priority shall be given to children whose family’s household income is greater than 50 per cent but not more than 85 per cent of the state median income; provided, however, that the department may consider length of time families wait to receive a subsidy; and provided further, that third priority shall be given to children whose family’s household income is above 85 per cent, but not exceeding 100 per cent, of the state median income; and provided further, that fourth priority shall be given to children whose family’s household income is above 100 per cent, but not exceeding 110 per cent, of the state median income; and provided further, that fifth priority shall be given to children whose family’s household income is above 110 per cent, but not exceeding 125 per cent, of the state median income.” 36

After remarks, the amendment was *rejected*.

Ms. Chang-Diaz and Mr. Eldridge moved to amend the proposed new draft in section 9, by striking out, in line 89, the word “revising” and inserting in place thereof the following words:- “phasing in” and in line 91, by striking out the words “designed with a goal of meeting” and inserting in place thereof the following words:- “that meets”. 38

The amendment was *rejected*.

Mr. Tarr moved to amend the proposed new draft by inserting after section _ the following section:- 39

“SECTION_ . Notwithstanding and general or special law to the contrary the department of early education and care shall annually for 5 years by December 31, file a

report with the clerks of the house and the senate, the senate and house committees on ways and means and the joint committee on education on the costs required to implement this act and a preliminary assessment of the funding and administrative resources that would aid the department in implementing this act.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved to amend the proposed new draft by inserting after section _ the following section:- 41

“SECTION_ . Not later than 1 year after the effective date of this act, the department of early education shall develop an electronically and publicly accessible database of licensed child care providers in the commonwealth and the available capacity of each provider.”

After remarks, the amendment was *rejected*.

Mr. Tarr moved to amend the proposed new draft by inserting after section _ the following:- 43

“SECTION_ . Not later than 6 months after the effective date of this act, the department of early education and care shall file a report with recommendations with the clerks of the house and the senate, the senate and house committees on ways and means and the joint committee on education on the methods and to support and strengthen family day care center.”

The amendment was *rejected*.

Mr. Tarr moved to amend the proposed new draft in section 19, by striking out, in line 415, the word “design” and inserting in place thereof the following words:- “the design, eligibility criteria”. 46

After remarks, the amendment was adopted.

Ms. Comerford and Mr. Eldridge moved to amend the proposed new draft in section 15, in subsection (b), by adding the following clause:- “(v) developing enforceable compliance standards that demonstrate that program openings are accessible to children receiving subsidies with a goal of increasing subsidy utilization and methods for ensuring that programs receiving operational grant funding meet the standards before receiving or renewing their funding”. 42

After remarks, the amendment was adopted.

Mr. Brownsberger in the Chair, Messrs. Feeney and O'Connor moved to amend the proposed new draft in section 11, by striking out, in line 120, the word “19”, and inserting in place thereof the following word:- “21”, and 47

By striking out, in lines 136 to 140, inclusive, the words “1 of whom shall be a representative of the Massachusetts Independent Child Care Organization, Inc. and 1 of whom shall be a representative of the Service Employees International Union Local 509”, and inserting in place thereof the following words:- “1 of whom shall be a representative of the Massachusetts Independent Child Care Organization, Inc., 1 of whom shall be a representative of the Council for American Private Education-Massachusetts (CAPE-MA), 1 of whom shall be a representative of Massachusetts Project Access: Coalition of Faith Based Schools and 1 of whom shall be a representative of the Service Employees International Union Local 509.”

The amendment was *rejected*.

Messrs. Feeney and Eldridge, Ms. Moran and Messrs. Timilty, Montigny and O'Connor moved to amend the proposed new draft by inserting after section ___ the following section: - 48

“SECTION ____ . (a) The department, in consultation with the department of public health, shall develop a written early education and care informational pamphlet containing resources for parents of newborns including, but not limited to, the following: (i) short and long term developmental benefits of quality care and an early education curriculum; (ii)

the role of the department in licensing providers and facilities, and conducting background record checks, and the safety distinction between licensed providers and unlicensed care; (iii) the availability of child care financial assistance for eligible families; (iv) the contact information for each Child Care Resource & Referral Agency (CC&R); and (v) the website address for families to access a geographically-searchable online directory of licensed child care programs across the Commonwealth. (b) The early education and care informational pamphlet shall be developed and made available by the department for publication, printing, and distribution. (c) The information shall be provided to the parents or guardians of all newborn infants in the commonwealth in the birthing hospital, birthing center, or in the hospital from which the newborn infant is discharged to home.”

The amendment was *rejected*.

There being no objection, during consideration of the Orders of the Day, the following matters were considered, as follows:

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4932),-- ought to pass.

Supplemental appropriations.

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

Subsequently, the bill was 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 twenty-six minutes past five o'clock P.M., on motion of Mr. Velis, as follows, to wit (yeas 39 — nays 0) **[Yeas and Nays No. 200]:**

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Edwards, Lydia | 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. — 39. |
| Gobi, Anne M. | |

NAYS — 0.

The yeas and nays having been completed at twenty-two minutes before six o'clock P.M., the bill was passed to be engrossed, in concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the House Bill relative to Massachusetts’s transportation resources and climate (House, No. 4916),-- ought to pass, with an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2989 [Bond Authorization: \$10,379,958,157].

Transportation bond.

Order Adopted.

Mr. Rodrigues presented the following order, to wit:

Ordered, That notwithstanding Senate Rule 7 or any other rule to the contrary, the House Bill relative to Massachusetts’s transportation resources and climate (House, No. 4916) (the committee on Ways and Means having recommended that the bill be amended by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2989) shall be placed in the Orders of the Day for a second reading on Thursday, July 14, 2022.

Procedural order.

All amendments shall be filed electronically in the office of the Clerk of the Senate by 5:00 P.M, on Monday, July 11, 2022. All such amendments shall be second reading-amendments to the Senate Ways and Means new text (Senate, No. 2989), but further amendments in the third degree to such amendments shall be in order. The Clerk shall further specify the procedure and format for filing all amendments, consistent with this order.

After the bill as amended is ordered to a third reading, it shall immediately be read a third time and the question shall then immediately be on passing it to be engrossed, and no amendments shall be in order at the third reading of the bill unless recommended by the committee on Bills in the Third Reading.

The rules were suspended, on motion of Mr. Rodrigues, and the order was considered forthwith and adopted.

The bill will be placed in the Orders of the Day for Thursday, July 14, 2022, for a second reading with the amendment pending.

PAPER FROM THE HOUSE

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on State Administration and Regulatory Oversight be granted until Friday, July 15, 2022 within which time to make its final report on current Senate documents numbered 2027, 2037, 2055, 2082 and 2104, and House documents numbered 3111, 3152, 3183, 3187, 3191, 3196, 3213, 3222, 3224, 3227, 3826 and 4180.

State Administration and Regulatory Oversight,-- extension order.

The rules were suspended, on motion of Mr. Lewis, and, after remarks, the order (House, No. 4925) was considered forthwith; and adopted, in concurrence.

Order of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),-- was further considered, the main question being on ordering the bill to a third reading.

Early education and care,-- access.

Mr. Tarr moved to amend the proposed new draft by inserting in 427 after the word, “needs” the following:- “Thereafter, the department shall submit an annual report for the

15

next 5 years with updates. All reports under this section shall be posted on the department's website and the general court's website.”

The amendment was *rejected*.

Mr. Tarr moved to amend the proposed new draft in section 1 by inserting at the end the following paragraph:-

33

“Annually, not later than July 1, the secretary of education shall submit a report to the clerks of the senate and the house of representatives, the senate and house committees on ways and means and the joint committee on education that details: (i) the number of child care and school age programs contracting with the department of early education and care or their agents; (ii) the rates charged for child care services; and (iii) any discounts, incentives or modifications allowable under the price limitation exception.”

After remarks, the amendment was adopted.

There being no objection, during consideration of the Orders of the Day, the following matter was considered, as follows:

PAPER FROM THE HOUSE

Order.

The following House Order (approved by the committees on Rules of the two branches, acting concurrently) was considered as follows:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Friday, July 22, 2022 within which time to make its final report on current House documents numbered 135, 1462, 1471, 1518, 1522, 1567, 1714, 1763, 1781, 1795, 1798, 1894, 1912, 3570, 4290, 4303 and 4444.

The Judiciary,-- extension order.

The rules were suspended, on motion of Mr. Eldridge, and, after remarks, the order (House, No. 4955) was considered forthwith; and adopted, in concurrence.

Order of the Day.

The Orders of the Day were further considered as follows:

The Senate Bill to expand access to high-quality, affordable early education and care (Senate, No. 2883),-- was further considered, the main question being on ordering the bill to a third reading.

Early education and care,-- access.

Mr. Rodrigues moved to amend the proposed new draft in section 8, by striking out, in line 84, the word “a”, the first time it appears, and inserting in place thereof the following words “an eligible”;

40

In section 13, by inserting after the word “programs”, in line 220, the third time it appears, the following words:- “, informal childcare providers”;

In section 14, by inserting after the word “department”, in line 302, the first time it appears, the following words:-“or its agents”; and

By inserting after said section 14 the following section:-

“SECTION 14A. Chapter 154 of the acts of 2018 is hereby amended by striking out section 79.”

The amendment was adopted.

Ms. Chang-Diaz and Mr. Eldridge moved to amend the proposed new draft in section 14, by inserting after the word “providers.” in line 297, the following words:- “In calculating the amount of an operational grant, the department shall account for, among other factors that contribute to the actual cost of providing high quality care, the educational attainment and work experience of the provider's personnel pursuant to the early education and care career ladder developed under section 20 of chapter 15D.”; and

37

By inserting after section 13 the following section:-

“SECTION 13A. Subsection (a) of section 17 of said chapter 15D is hereby amended

by striking the definition of 'Family child care provider' and inserting in place thereof the following definition:-

‘Family child care provider’, a person who provides family child care services on behalf of low-income, at-risk, and other children receiving state-subsidized child care and receives payment from the commonwealth for such services under a grant program or rate structure for subsidized, voucher or contracted payments.”

Mr. Rodrigues arose to a point of order which, being stated, was that the amendment (as redrafted) and before the Senate was beyond the scope of the original amendment.

The Chair (Mr. Brownsberger) ruled that the redrafted amendment was beyond the scope of the original amendment, and the amendment was laid aside.

Ms. Chang-Diaz doubted the ruling of the Chair; and this motion was seconded by Mr. Eldridge.

After debate, the question on “Shall the ruling of the Chair stand?” was determined by a call of the yeas and nays at two minutes past six o’clock P.M., on motion of Ms. Chang-Diaz, as follows, to wit (yeas 34 – nays 5) [Yeas and Nays No. 201]:

Point of order.

Ruling,--
WELL taken.

Ruling doubted.

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Edwards, Lydia | Rausch, Rebecca L. |
| Fattman, Ryan C. | Rodrigues, Michael J. |
| Feeney, Paul R. | Rush, Michael F. |
| Finegold, Barry R. | Spilka, Karen E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. – 34. |

NAYS.

- | | |
|--------------------|---------------------|
| Chang-Diaz, Sonia | Pacheco, Marc R. |
| Eldridge, James B. | Tarr, Bruce E. – 5. |
| Keenan, John F. | |

ABSENT OR NOT VOTING.

DiZoglio, Diana – 1.

The yeas and nays having been completed at fourteen minutes past six o’clock P.M., the ruling of the Chair stood and the amendment was laid aside.

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

The bill (Senate, No. 2973, amended) was then ordered to a third reading and read a third time.

The President in the Chair, the question on passing the bill to be engrossed was determined by a call of the yeas and nays, at a quarter past six o’clock P.M., on motion of Mr. Lewis, as follows, to wit (yeas 40 – nays 0) [Yeas and Nays No. 202]:

YEAS.

- | | |
|---------------------|-------------|
| Barrett, Michael J. | Gomez, Adam |
|---------------------|-------------|

UNCORRECTED PROOF.

Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Edwards, Lydia
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.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **40.**

NAYS – 0.

The yeas and nays having been completed at twenty-two minutes past six o'clock P.M., the bill was passed to be engrossed [For text of Senate bill, printed as amended, see Senate, No. 2997].

Sent to the House for concurrence.

Order Adopted.

On motion of Mr. DiDomenico,--

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.

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