

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MARCH 24, 2022

JOURNAL OF THE SENATE

Thursday, March 24, 2022.

Met at thirteen minutes past eleven o'clock A.M. (Ms. Creem in the Chair) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair).

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the Chair (Ms. Creem) handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced, on the Rostrum, James Hills of Dorchester. James was recognized for celebrating the 2nd anniversary of the Java With Jimmy Broadcast and his support of his community throughout the COVID-19 pandemic by connecting viewers with SNAP benefits and providing new information on COVID-19 unemployment benefits. He reached out to Boston Public Schools and the Boston Teachers Union when he heard from families in need of laptops for remote learning and also collected and distributed gift cards for those in need. The Senate applauded his accomplishments, he addressed the Senate and withdrew from the Chamber.

James Hills.

There being no objection, the Chair (Ms. Creem) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, on the Rostrum, Miss Massachusetts Teen USA Shannon Malloy of Canton. As Miss Massachusetts Teen USA, Shannon is helping to empower women to develop the confidence they need to achieve their personal best and to make a real change starting in one's own community, with the potential to reach a global audience. She was also recognized for serving on a Social Justice Committee in Canton, protecting teens from succumbing to peer pressure when it comes to underage drinking and drug use. She was accompanied by her mother Kathy Rooney, her sister Katherine Malloy, and her boyfriend Lucas Bryant. The Senate applauded her accomplishments, she addressed the Senate and withdrew from the Chamber.

Shannon Malloy.

There being no objection, the Chair (Mr. Brownsberger) handed the gavel to Mr. Collins for the purpose of an introduction. Mr. Collins then introduced, in the rear of the Chamber, a delegation from Cape Verde. Among the group were: Mayor of the City of Mosteiros Fogo, Dr. Fabio Vieira, City Council members, Dr. Nelson Pires and Jaime Monteiro and President of City Council, Dr. Lucio Fernandes. The Senate welcomed them with applause, Mayor Vieira signed the guestbook and they withdrew from the Chamber.

Cape Verde delegation.

Report.

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspection of MCI Cedar Junction (received March 21, 2022),-- was placed on file.

DPH,-- facility inspection. SD3062

Reports of Committees.

By Mr. Lewis, for the committee on Education, on petition (accompanied by bill, Senate, No. 809), a Bill relative to MassHealth provider reimbursement (Senate, No. 2787);

Provider reimbursement.

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

By Ms. Comerford, for the committee on Public Health, on Senate, No. 1384 and House, No. 2381, a Bill relative to end of life options (Senate, No. 1384);

By the same Senator, for the same committee, on Senate, No. 1402 and House, No. 2273, a Bill relative to safer treatment for pain (Senate, No. 1402);

By the same Senator, for the same committee, on petition, a Bill relative to personal health information portability and accessibility (Senate, No. 2600);

By the same Senator, for the same committee, on Senate, No. 1393 and House, No. 2361, a Bill to expand access to Naloxone (Senate, No. 2780); and

By the same Senator, for the same committee, on Senate, No. 1493 and House, No. 2360, a Bill relative to source plasma donation centers (Senate, No. 2782);

Severally referred, under Joint Rule 1E, to the committee on Health Care Financing.

By Mr. Lewis, for the committee on Education, on petition (accompanied by bill, Senate, No. 311), a Bill implementing an elementary and secondary interdisciplinary climate education curriculum in the Commonwealth (Senate, No. 2785);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 344), a Bill to promote the education success of court involved children (Senate, No. 2786);

By Ms. Friedman, for the committee on Health Care Financing, on Senate, No. 751 and House, No. 1241, a Bill making technical changes to the Betsy Lehman Center for patient safety and medical error reduction enabling statute (Senate, No. 751) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on petition, a Bill relative to collaborative care (Senate, No. 769) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 794 and House, No. 319, a Bill regarding Medicare savings programs eligibility (Senate, No. 794) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 801 and House, No. 1242, a Bill relative to transfer of assets by MassHealth members (Senate, No. 801) [Estimated cost: greater than \$100,000];

By the same Senator, for the same committee, on Senate, No. 818 and House, No. 1306, a Bill relative to personal care attendant services (Senate, No. 818) [Estimated cost: greater than \$100,000];

By Ms. Comerford, for the committee on Public Health, on petition, a Bill relative to volunteer ambulance service (Senate, No. 1443);

By the same Senator, for the same committee, on petition, a Bill to support rural volunteer emergency medical technicians (Senate, No. 1444);

By the same Senator, for the same committee, on petition, a Bill regulating surgical assistants (Senate, No. 1449);

By the same Senator, for the same committee, on Senate, No. 1464 and House, No. 2333, a Bill to protect youth from the health risks of sugary drinks (Senate, No. 2781);

By Mr. Brady, for the committee on Public Service, on Senate, No. 1791 and House, No. 2620, a Bill to provide a retirement enhancement opportunity for certain members of the Massachusetts Teachers Retirement System (Senate, No. 2783);

By the same Senator, for the same committee, on petition (accompanied by bill, Senate, No. 2625), a Bill relative to court officers injured on duty (Senate, No. 2784); and

By Mr. Pacheco, for the committee on State Administration and Regulatory

End of life,-- options.

Pain,-- treatment.

Health information,-- accessibility.

Naloxone,-- access.

Plasma donation centers.

Climate change,-- curriculum.

Student success,-- court involved children.

Betsy Lehman Center,-- technical changes.

Collaborative care.

Medicare savings,-- eligibility.

MassHealth,-- transfer of assets.

PCA,-- services.

Ambulance service,-- volunteers.

Volunteer EMTs.

Surgical assistants,-- regulate.

Sugary drinks,-- marketing.

MTRS,-- retirement enhancement.

Court officers,-- injured.

PFAS emissions,--

UNCORRECTED PROOF.

Oversight, on petition, a Bill establishing a moratorium on the procurement of structures or activities generating PFAS emissions (Senate, No. 2655);

procurement
moratorium.

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

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill designating the “Giant Puffball” fungus as the official mushroom of the Commonwealth (Senate, No. 2060); and

Official mushroom,--
giant puffball.

By the same Senator, for the same committee, on petition, a Bill establishing the annual observance of September 11th Remembrance Day (Senate, No. 2718);

September 11th
Remembrance Day.

Severally read and, under Senate Rule 26, referred to the committee on Rules.

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill amending section 5 of chapter 270 of the Acts of 1985, as amended, to authorize delegation by general by-law of all select board licensing authority (Senate, No. 2684) [Local approval received];

Brookline,-- licensing
authority.

By the same Senator, for the same committee, on petition, a Bill exempting the town of Brookline from in-person quorums (Senate, No. 2685) [Local approval received]; and

Brookline,--
quorums.

By Mr. Pacheco, for the committee on State Administration and Regulatory Oversight, on petition, a Bill 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 five years (Senate, No. 2705) [Local approval received];

Taunton,--
wastewater.

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

Committee Discharged.

Ms. Rausch, for the committee on Environment, Natural Resources and Agriculture, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 2791) of Susan L. Moran, Julian Cyr, Patrick M. O'Connor, Timothy R. Whelan and others for legislation relative to preventing the discharge of radioactive materials,-- **and recommending that the same be referred to the committee on the Judiciary.**

Radioactive
materials,--
discharge.

**Under Senate Rule 36, the report was considered forthwith and accepted.
Sent to the House for concurrence.**

PAPERS FROM THE HOUSE.

A message from His Excellency the Governor recommending legislation relative to Massachusetts’s transportation resources and climate (House, No. 4561),-- **was referred, in concurrence, to the committee on Transportation.**

Transportation
resources and
climate.

A petition (accompanied by bill, House, No. 4565) of Jay D. Livingstone (with the approval of the mayor and city council) relative to the Boston Landmarks Commission,-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Boston Landmarks
Commission.

Bills

Prohibiting discrimination based on natural and protective hairstyles (House, No. 4554,-- on Senate, Nos. 994 and 1049 and House, No. 1907); and

Protective hairstyles.

Relative to the creation of a women's rights history trail (House, No. 4555,-- on

Women's rights
history trail.

Senate, No. 2249 and House, No. 3379);

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

A Bill relative to municipal light plant participation in green communities (House, No. 4351,-- on House, No. 3327),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Municipal light plants.

Resolutions.

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

Resolutions (filed by Ms. Creem) “commemorating the seventy-fourth anniversary of the founding of the State of Israel”;

State of Israel.

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

Cael Dineen.

Resolutions (filed by Mr. O’Connor) “congratulating Diamond King on her elevation to the rank of Eagle Scout”; and

Diamond King.

Resolutions (filed by Mr. O’Connor) “congratulating Maebon Puleio on her elevation to the rank of Eagle Scout.”

Maebon Puleio.

PAPER FROM THE HOUSE

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the town of Sudbury to transfer a certain parcel of land (see House, No. 4108) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-four minutes before twelve o’clock noon, as follows, to wit (yeas 38 - nays 0) [**Yeas and Nays No. 136**]:

Sudbury,-- land transfer.

YEAS.

Barrett, Michael J.
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.

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

Gobi, Anne M.

Velis, John C. – 38.

NAYS – 0.

ABSENT OR NOT VOTING.

Friedman, Cindy F. – 1.

The yeas and nays having been completed at eight minutes before twelve o'clock noon, the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Creem) and laid before the Governor for his approbation.

Report of a Committee.

By Mr. Brady, for the committee on Public Service, on petition, a Bill establishing a sick leave bank for Shana Hicks, an employee of the Department of Public Health (Senate, No. 2792);

Shana Hicks,-- sick leave.

The bill was read. There being no objection, the rules were suspended, on motion of Mr. Brady, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, its title having been changed by the committee on Bills in the Third Reading to read as follows: “An Act establishing a sick leave bank for Shana Hicks, an employee of the department of public health”.

Sent to the House for concurrence.

Orders of the Day.

The Orders of the Day were considered, as follows:

Bills

Second reading bills.

Prohibiting the use of mobile gear in certain waters off the coast of the town of Nantucket (Senate, No. 512); and

Amending the charter of the city of Holyoke (House, No. 4501);

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

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. 4578),-- was read a second time.

Supplemental appropriations.

After remarks, pending the question on ordering the bill to a third reading and pending the question on adoption of the 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 2776), Ms. Comerford, Messrs. Feeney, Montigny and Keenan, Ms. Lovely, Messrs. O'Connor, Gomez and Cyr, Ms. Gobi, Messrs. Hinds and Velis, Ms. DiZoglio, Ms. Rausch, Messrs. Eldridge and Cronin, Ms. Jehlen, Messrs. Moore and Crighton, Ms. Chang-Diaz, Mr. Collins, Ms. Creem, Messrs. Timilty, Brady, Lesser, Pacheco and DiDomenico, Ms. Moran and Mr. Tarr moved that the pending new text be amended in section 2A by inserting the following item:

1

OFFICE OF THE ATTORNEY GENERAL
Victim and Witness Assistance Board

0840-0030 For grants to organizations providing no-cost counseling, advocacy and intervention services to victims of crime.....\$20,000,000.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-seven minutes before one o'clock P.M., on motion of Ms. Comerford, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 137]:**

YEAS.

Barrett, Michael J.	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.
Crichton, Brendan P.	Moore, Michael O.
Cronin, John J.	Moran, Susan L.
Cyr, Julian	O'Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Edwards, Lydia	Rodrigues, Michael J.
Eldridge, James B.	Rush, Michael F.
Fattman, Ryan C.	Spilka, Karen E.
Feeney, Paul R.	Tarr, Bruce E.
Finegold, Barry R.	Timilty, Walter F.
Gobi, Anne M.	Velis, John C. – 39.
Gomez, Adam	

NAYS – 0.

ABSENT OR NOT VOTING.

Friedman, Cindy F. – 1.

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

Messrs. Timilty, Montigny, Tarr, Feeney and O'Connor, Ms. Moran, Ms. Gobi and Messrs. Moore, Brady, Lesser, Pacheco, DiDomenico and Fattman moved that the proposed new text be amended by inserting after section 52 the following section:-

“SECTION 52A. (a) As used in this section, the following words shall have the following meanings:-

‘Board’, the pension reserves investment management board established pursuant to section 23 of chapter 32 of the General Laws.

‘Company’, any sole proprietorship, organization, association, corporation, partnership, joint venture, limited partnership, limited liability partnership, limited liability company or other entity or business association, including all wholly-owned subsidiaries, majority-owned subsidiaries, parent companies or affiliates of such entities or business associations that exist for profit-making purposes.

‘Direct holdings’, all securities of a company held directly by the public fund or in an account or fund in which the public fund owns all shares or interests.

‘Indirect holdings’, all securities of a company held in an account or fund, such as a mutual fund, managed by 1 or more persons not employed by the public fund, in which the public fund owns shares or interests together with other investors not subject to this section.

‘Public fund’, the Pension Reserves Investment Trust or the Pension Reserves Investment Management Board in charge of managing the pooled investment fund consisting of the assets of the State Employees’ and Teachers’ Retirement Systems as well as the assets of local retirement systems under the control of the board.

‘Scrutinized company’, any company that: (i) has been sanctioned by the United States Government as a result of Russia’s invasion of Ukraine; or (ii) is incorporated in

the country of Russia.

(b) Notwithstanding any general or special law to the contrary, within 90 days of the effective date of this section, the public fund shall make its best efforts to facilitate the identification of all scrutinized companies in which the public fund has direct or indirect holdings. The identification of scrutinized companies shall be the responsibility of an independent, third-party research firm identified by the public fund and based on the criteria set forth in this section. By the first meeting of the public fund following the 90-day period, the public fund shall assemble all scrutinized companies in which it has direct or indirect holdings into a scrutinized companies list. The public fund shall update the scrutinized companies list on a quarterly basis based on evolving information from the independent, third-party research firm.

(c)(1) Notwithstanding any general or special law to the contrary, the public fund shall adhere to the procedure in paragraphs (2) to (4), inclusive, for companies on the scrutinized companies list.

(2) The public fund shall determine the companies on the scrutinized companies list, created under subsection (b), in which the public fund owns direct or indirect holdings.

(3) The public fund shall sell, redeem, divest or withdraw all publicly-traded securities of a company identified in paragraph (2), except as provided in paragraph (6) and subsection (e), according to the following schedule: (i) at least 50 per cent of such assets shall be removed from the public fund's assets under management within 6 months after the company's most recent appearance on the scrutinized companies list, subject to market availability; and (ii) 100 per cent of such assets shall be removed from the public fund's assets under management within 12 months after the company's most recent appearance on the scrutinized companies list, subject to market availability; provided, however, that this paragraph shall only apply until such company is removed from the scrutinized companies list.

(4) During the time period outlined in paragraph (3), the public fund may sign onto engagement letters or participate in shareholder resolutions regarding the scrutinized business operations of companies identified in paragraph (2) in which the public fund still owns direct or indirect holdings.

(5) At no time shall the public fund acquire securities of companies on the scrutinized companies list, except as provided in paragraphs (6) and (7).

(6) No company that the United States government affirmatively declares to be excluded from its present or future federal sanctions regime relating to the government of Russia shall be subject to divestment or an investment prohibition under paragraphs (2) to (5), inclusive.

(7) Notwithstanding any provision of this section to the contrary, paragraphs (2) to (5), inclusive, shall not apply to indirect holdings in actively managed investment funds; provided, however, that the public fund shall submit letters to the managers of such investment funds containing scrutinized companies requesting that they consider removing such companies from the investment fund or create a similar actively managed fund with indirect holdings devoid of such companies. If the manager creates a similar fund, the public fund shall replace all applicable investments with investments in the similar fund in an expedited timeframe consistent with prudent investing standards. For the purposes of this section, private equity funds shall be deemed to be actively managed investment funds.

(d) Notwithstanding any general or special law to the contrary, with respect to actions taken in compliance with this section, the public fund shall be exempt from any conflicting statutory or common law obligations, including any such obligation with respect to the choice of asset managers, investment funds or investments for the public fund's securities portfolios and all good faith determinations regarding companies as required by this section.

(e) Notwithstanding any general or special law to the contrary, the public fund may cease divesting from certain scrutinized companies under paragraphs (2) to (4), inclusive, of subsection (c), reinvest in certain scrutinized companies from which it divested under said paragraphs (2) to (4), inclusive, of said subsection (c) or continue to invest in certain scrutinized companies from which it has not yet divested upon clear and convincing evidence showing that the total and aggregate value of all assets under management by, or on behalf of, the public fund becomes: (i) equal to or less than 99.5 per cent; or (ii) 100 per cent less 50 basis points of the hypothetical value of all assets under management by, or on behalf of, the public fund assuming no divestment for any company had occurred under said paragraphs (2) to (4), inclusive, of said subsection (c). Cessation of divestment, reinvestment or any subsequent ongoing investment authorized by this subsection shall be strictly limited to the minimum steps necessary to avoid the contingency set forth in the preceding sentence.

For any cessation of divestment, and in advance of such cessation, authorized by this subsection, the public fund shall provide a written report to the attorney general, the senate and house committees on ways and means and the joint committee on public service, updated semi-annually thereafter as applicable, setting forth the reasons and justification, supported by clear and convincing evidence, for its decisions to cease divestment of holdings in companies on the scrutinized companies list or to reinvest or remain invested in companies on the scrutinized companies list.

(f) The public fund shall file a copy of the scrutinized companies list with the clerks of the senate and the house of representatives and the attorney general within 30 days after the list is created. Annually thereafter, the public fund shall file a report with the clerks of the senate and the house of representatives and the attorney general that includes: (i) the most recent scrutinized companies list; (ii) all investments sold, redeemed, divested or withdrawn in compliance with paragraphs (2) to (4), inclusive, of subsection (c); (iii) all prohibited investments from which the public fund has not yet divested under paragraph (5) of said subsection (c); and (iv) any progress made under paragraph (7) of said subsection (c).”; and

By inserting after section 62 the following section:-

“SECTION 62A. Section 52A shall expire upon: (i) the removal of United States federal government sanctions against Russia; (ii) the President of the United States declaring that said section 52A interferes with the conduct of United States foreign policy; or (iii) January 1, 2028; whichever occurs first.”

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at ten minutes before one o'clock P.M., on motion of Mr. Timilty, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 138]:**

YEAS.

Barrett, Michael J.	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.
DiDomenico, Sal N.	Pacheco, Marc R.

DiZoglio, Diana
Edwards, Lydia
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Gobi, Anne M.
Gomez, Adam

Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

ABSENT OR NOT VOTING.

Friedman, Cindy F. – 1.

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

Ms. DiZoglio and Mr. Finegold moved that the proposed new text be amended in section 2, in item 7002-0010, by adding the following words:- “provided further, that not less than \$20,000 shall be expended for Haverhill Downtown Boxing in the City of Haverhill”; and by striking out the figure “\$190,000” and inserting in place thereof the following figure:- “\$210,000”. 5

The amendment was *rejected*.

Ms. DiZoglio and Mr. Finegold moved that the proposed new text be amended in section 2, in item 2000-0100, by adding the following words:- “provided further, that not less than \$1,200,000 shall be expended to replace the Mill Street culvert in the town of Merrimac”; and by striking out the figure “\$250,000” and inserting in place thereof the following figure:- “\$1,450,000”. 6

The amendment was *rejected*.

Mr. Tarr, Ms. Moran and Messrs. Keenan and Moore moved that the proposed new text be amended by inserting after section _ the following sections:- 12

“SECTION _ . Section 25B of Chapter 54 of the General Laws is hereby amended by inserting at the end thereof the following subsection:-

'(r) The Commonwealth shall reimburse each city and town to the full extent of the amounts expended for mandated early voting procedures and operations. The state treasurer shall annually, on or before July 1st of the year following the election for which reimbursement is being sought, pay to cities and towns, the sums required for such reimbursement and approved by the secretary of state pursuant to section 2 herein. Each city and town may establish an Early Voting Reimbursement Fund. Reimbursements made by the commonwealth pursuant to this section may be deposited into the fund and may carry forward for 1 fiscal year.'

SECTION _ . Section 25B of Chapter 54 of the General Laws is hereby amended by inserting in subsection (o) the following at the end thereof:- 'including the means to seek, process and approve reimbursement subject to subsection (r).'

After remarks, the amendment was *rejected*.

Ms. Comerford, Ms. Gobi, Mr. Feeney, Ms. Rausch, Ms. Jehlen and Mr. Pacheco moved that the proposed new text be amended in section 62, by striking out, in lines 669 to 672, inclusive, the following words:- 14

“(45) between the commonwealth, the Suffolk registry of deeds and the Service 669 Employees International Union AFL-CIO, Local 888 and

(46) between the commonwealth, the North, Middle, and South Berkshire Registry of Deeds and the Service Employees International Union, Local 888.” and inserting in place thereof the following words:-

“(45) between the commonwealth, the Suffolk registry of deeds and the Service 669

Employees International Union AFL-CIO, Local 888;

(46) between the commonwealth, the North, Middle, and South Berkshire Registry of Deeds and the Service Employees International Union, Local 888;

(47) between the University of Massachusetts and the International Brotherhood of Police Officers (IBPO) Local 432, Amherst Campus, Unit A06;

(48) between the University of Massachusetts and USA Classified, Amherst Campus, Unit A08; and

(49) between the University of Massachusetts and the Professional Staff Union, Unit B Amherst campus, Unit A15.”

After remarks, the amendment was adopted.

Messrs. Keenan and O'Connor, Ms. Moran, Ms. Jehlen, Mr. Eldridge, Ms. Gobi, Mr. Gomez, Ms. Comerford and Messrs. Moore, Feeney, Timilty, Pacheco and Tarr moved that the proposed new text be amended by inserting after section 36 the following section:-

“SECTION 36A. Item 7004-9316 of said section 2 of said chapter 24 is hereby amended by striking out the words ‘December 31, 2021’ and inserting in place thereof the following words:- ‘June 30, 2022’.”

After remarks, the amendment was adopted.

Messrs. Keenan and O'Connor, Ms. Moran, Ms. Jehlen, Mr. Eldridge, Ms. Gobi, Mr. Gomez, Ms. DiZoglio, Ms. Rausch, Ms. Comerford, Messrs. Moore, Velis, Feeney and Collins, Ms. Chang-Diaz and Messrs. Timilty, Brady and Pacheco moved that the proposed new text be amended in section 2, in item 7004-9316, by striking out the figure “\$100,000,000” and inserting in place thereof the following figure:- “\$200,000,000”.

The amendment was *rejected*.

Mr. Keenan, Ms. Moran, Ms. Jehlen, Messrs. Eldridge and Gomez, Ms. Rausch, Ms. Comerford, Messrs. Moore and Timilty, Ms. Gobi and Mr. Pacheco moved that the proposed new text be amended by inserting after section 22 the following section:-

“SECTION 22A. Said section 3 of said chapter 257, as so amended, is hereby further amended by adding the following paragraph:-

Notwithstanding any general or special law to the contrary, in addition to the department’s other monthly reporting requirements pursuant to this section, the department shall, until March 31, 2023, report quarterly to the joint committee on housing and the house and senate committees on ways and means detailing the activities of the governor’s COVID-19 eviction diversion initiative from the prior quarter. The report shall include, but not be limited to: (i) the number of households approved or denied assistance, delineated by county; (ii) demographic data on the households that applied for assistance in each county, including, but not limited to, gender, race and income; (iii) the mean and median number of months in arrears for households at the time of application; and (iv) the mean amount in arrears per household per month at the time of application.”

The amendment was adopted.

Mr. Moore moved that the proposed new text be amended by inserting after section 62 the following section:-

“SECTION XX. Item 4000-0013 of section 2A of chapter 102 of the acts of 2021 is hereby amended by striking out the words 'Interfaith Hospitality Network' and inserting in place thereof the following words:- ‘Friendly House, Inc.’.”

After remarks, the amendment was adopted.

Ms. Lovely and Mr. Tarr moved that the proposed new text be amended in section 62, in line 672, by inserting after the words “Local 888” the following:- “and

(47) between the commonwealth, the North and South Essex Registry of Deeds and the AFSCME Local 653”.

After remarks, the amendment was adopted.

Ms. Chang-Diaz, Mr. Eldridge, Ms. Rausch and Mr. Feeney moved that the proposed

new text be amended in section 2A, by inserting the following item:-

“XXXX-XXXX For the creation of an opt-in pilot program for METCO school districts. The pilot program shall include, but not be limited to, the development of a METCO continuum of practice to assess a districts’ progress in integration, the performance of curriculum audits to ensure cultural representation and the implementation of restorative discipline practices \$500,000”.

The amendment was *rejected*.

Messrs. Timilty, Moore and Tarr and Ms. Gobi moved that the proposed new text be amended by inserting at the end thereof the following section:- 27

“SECTION XXX. Section 2DDDDD of Chapter 29 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the word ‘expended’, in line 15, the following words:- ‘as authorized by the technical rescue coordinating council, by the state fire marshal as the head of the department of fire services, who shall act as co-administrator. Said amounts shall be expended’.”

After remarks, the amendment was adopted.

Mr. Timilty moved that the proposed new text be amended in section 2, in item 1599-0793, by adding the following words:- “; provided further, that not less than \$5,000 shall be expended to the Easton Food Pantry”; and by striking out the figure “\$700,000,000” and inserting in place thereof the following figure:- “\$700,005,000”. 32

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section _ the following section:- 34

“SECTION_ . Item 2200-0100 of section 2 of the chapter 24 of the acts of 2021 as amended by section 61 of chapter 102 of the acts of 2021 is hereby amended by adding the following words:- ‘; and provided further, that any unexpended funds in this item shall not revert but shall be made available for the purpose of this item until June 30, 2023’.”

The amendment was *rejected*.

Mr. Tarr, Ms. Moran and Messrs. Moore and Pacheco moved that the proposed new text be amended by inserting in line 78 after the word “clinics” the following,- “including, but not limited to regional vaccination clinics”. 36

The amendment was *rejected*.

Messrs. Finegold and Tarr moved that the proposed new text be amended in section 2A, in item 1599-0793, by inserting after the word “efforts”, in line 75, the following words:- “, including the cost of digital at-home point of care testing, with a telehealth proctor, to enable reliable public health reporting and enable results from at-home tests to be useful for treatment options”. 39

After remarks, the amendment was adopted.

Messrs. DiDomenico, O'Connor, Fattman, Eldridge and Velis, Ms. Gobi, Mr. Montigny, Ms. DiZoglio, Ms. Rausch, Ms. Comerford, Ms. Jehlen and Messrs. Feeney, Moore, Collins, Finegold, Timilty, Brady, Lesser and Pacheco moved that the proposed new text be amended by adding the following item:- 40

“7053-1925 For a reserve to supplement federal reimbursements for school breakfast and school lunch as under the National Child Nutrition Act and National School Lunch Act for the purpose of making breakfast and lunch available at no charge to each student for the 2022-23 school year. The amount reimbursed to schools shall be the difference between the amount paid by the United States Department of Agriculture and the free rate as set annually by the United States Secretary of Agriculture under 42 U.S.C. 1759a for each school..... \$110,000,000”.

The amendment was *rejected*.

Mr. Brownsberger in the Chair, Messrs. Tarr, O'Connor, Moore and Brady moved 41

that the proposed new text be amended by inserting in section 2 after item 8324-0050 the following item:-

“XXXX-XXXX. For a reserve to provide assistance to restaurants in the commonwealth for costs associated with outdoor dining and not otherwise eligible for reimbursement including but limited to facilities modification, equipment, supplies and signage\$20,000,000”.

The amendment was *rejected*.

Messrs. Cyr and O'Connor, Ms. Moran, Messrs. Eldridge, Fattman, Gomez, Feeney, Montigny, Moore, Pacheco and Tarr, Ms. Gobi and Ms. Chang-Diaz moved that the proposed new text be amended inserting after section 24 the following 2 sections:-

42

“SECTION 24A. Section 27 of said chapter 20 is hereby amended by striking out the words ‘ , 22 and 25’ and inserting in place thereof the following words:- ‘and 22’.

SECTION 24B. Said chapter 20 is hereby further amended by inserting after section 27 the following section:-

Section 27A. Section 25 is hereby repealed.”; and

By inserting after section 25 the following section:-

“SECTION 25A. Said chapter 20 is hereby further amended by inserting after section 31 the following section:-

Section 31A. Section 27A shall take effect 180 days after the termination of the May 28, 2021 declaration of a state of emergency pursuant to section 2A of chapter 17 of the General Laws.”

After remarks, the amendment was adopted.

Mr. Cyr, Ms. Rausch and Messrs. Keenan, Feeney and Pacheco moved that the proposed new text be amended by inserting after section 12 the following section:-

43

“SECTION 12A. Section 102 of chapter 41 of the acts of 2019 is hereby further amended by striking out the words ‘April 1’, inserted by Section 29 of Chapter 29 of the Acts of 2021, and inserting in place thereof the following words:- ‘July 1’.”;

By inserting after section 38 the following section:-

“SECTION 38A. Subsection (c) of section 131 of said chapter 24 is hereby amended by striking out the words ‘March 31’ and inserting in place thereof the following words:- ‘April 30’.”; and

By inserting after section 52 the following section:-

“SECTION 52A. The interagency task force to review and investigate water and ground contamination of per- and polyfluoroalkyl substances across the commonwealth established pursuant to section 98 of chapter 227 of the acts of 2020 is hereby revived and continued to June 30, 2022. The task force shall file a report of its findings and recommendations, together with drafts of any legislation necessary to carry those recommendations into effect, with the clerks of the senate and the house of representatives, the senate and house committees on ways and means, the joint committee on environment, natural resources and agriculture, the joint committee on public health, the joint committee on the judiciary and the joint committee on public safety and homeland security not later than June 30, 2022.”

After remarks, the amendment was adopted.

Messrs. Tarr and Moore moved that the proposed new text be amended by striking section 34 in its entirety.

44

The amendment was *rejected*.

Ms. Chandler, Messrs. Eldridge, Feeney and Velis, Ms. Rausch and Messrs. Montigny, Pacheco, Lesser and Brady moved that the proposed new text be amended in section 29, by striking out, in lines 352 to 354, inclusive, the words “for services for refugees and immigrants including, but not limited to Ukrainian refugees and immigrants, to obtain a secure immigration status in the United States;” and inserting in place thereof

46

the following words:- “set forth herein that contract with the United States Department of State to resettle refugees and immigrants for services for refugees and immigrants including, but not limited to, Ukrainian refugees and immigrants; provided further, that, at the discretion of the agency, up to 75 per cent of the funds may be spent on direct assistance to the refugees and immigrants, including, but not limited to, securing immigration status in the United States, and 25 per cent of the funds may be spent to support the infrastructure of the resettlement agencies on a pro rata basis”.

The amendment was adopted.

Mr. Montigny moved that the proposed new text be amended by inserting after section ___ the following section:-

48

“SECTION __. Section 73 of chapter 111 of the General Laws, as so appearing, is hereby amended by striking out the second paragraph in its entirety and inserting in place thereof the following new paragraph:-

Notwithstanding the above paragraph, whoever violates any rule or regulation made pursuant to sections 71, 71C, 72, or 72C shall be punished by such fine not to exceed \$22,320, unless the department determines a higher amount is permitted pursuant to 42 CFR 488.438. If any licensee violates any such rule or regulation by allowing a condition to exist which may be corrected or remedied, the department shall order said licensee, in writing, to correct or remedy such condition, and if such licensee fails or refuses to comply with such order, each day during which such failure or refusal to comply continues shall constitute a separate offense. Fines collected pursuant to this paragraph shall be deposited into the Long-Term Care Facility Quality Improvement Fund established pursuant to section 2UUUU of chapter 29 and shall not revert to the General Fund.”

The amendment was *rejected*.

Messrs. Montigny and Gomez, Ms. Jehlen and Messrs. Moore and Keenan moved that the proposed new text be amended by inserting after section ___ the following section:-

49

“SECTION __. Section 13 of Chapter 90 of the General Laws, as so appearing, is hereby amended by striking out in lines 27-31 the following words:- ‘No person shall drive any motor vehicle equipped with any television viewer, screen or other means of visually receiving a television broadcast which is located in the motor vehicle at any point forward of the back of the driver’s seat, or which is visible to the driver while operating such motor vehicle’.”;

By inserting after section ___ the following section:-

“SECTION __. Subsection (a) of section 13B of chapter 90 of the General Laws, as so appearing, is hereby amended by inserting after the third sentence the following sentence:- ‘No operator of a motor vehicle shall use a mobile electronic device to access social media or use camera functions, including video calls’.”; and

By inserting after section ___ the following section:-

“SECTION __. Chapter 90 of the General Laws, as so appearing, is hereby amended by adding the following section:-

Section 13D. (a) No motor vehicle registered in the commonwealth shall be equipped with, nor shall be used therein, a television receiver, video monitor, or a television or video screen, or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications, is operating and is located in the motor vehicle at a point forward of the back of the driver’s seat, or is operating and the monitor, screen, or display is visible to the driver while driving the motor vehicle. The operator of a motor vehicle that is not required to be registered in the commonwealth shall not operate a television receiver, video monitor, or a television or video screen or any other similar means of visually displaying a television broadcast or video signal that produces entertainment or business applications that violates the provisions of this section while

driving in the commonwealth.

The prohibitions contained in this subsection shall not, however, include:

1. Electronic displays used in conjunction with vehicle navigation and mapping systems, or as part of a digital dispatch system;
2. Closed circuit video monitors designed to operate only in conjunction with dedicated video cameras and used in rear-view systems on trucks, motor homes, and other motor vehicles;
3. Television receivers or monitors used in government-owned vehicles by law-enforcement officers in the course of their official duties;
4. Visual displays used to enhance or supplement the driver’s view forward, behind, or to the sides of a motor vehicle for the purpose of maneuvering the vehicle;
5. A vehicle information display;
6. A visual display used to enhance or supplement a driver’s view of vehicle occupants;
7. Television-type receiving equipment used exclusively for safety or traffic engineering information; or
8. A television receiver, video monitor, television or video screen, or any other similar means of visually displaying a moving image, if that equipment is factory-installed and has an interlock device that, when the motor vehicle operator is performing one or more driving tasks, disables the equipment so that such moving images are not visible to the motor vehicle operator except as a visual display described in subsections 1 through 7. For the purposes of this subsection, “driving task” means all of the real time functions required to operate a vehicle in on-road traffic, excluding the selection of destinations and waypoints, and including steering, turning, lane keeping and lane changing, accelerating and decelerating.

(b) Except for displays explicitly authorized in subsection b, no driver of any motor vehicle shall view any motion picture or similar video display while driving.”

The amendment was *rejected*.

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

PAPERS FROM THE HOUSE

Engrossed Bills.

An engrossed Bill making certain provisions for the municipal election in the town of Hingham (see Senate Bill, printed in Senate, No. 2775) (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, two-thirds of the members present having voted in the affirmative, and it was signed by the Acting President (Mr. Brownsberger) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for his approbation.**

Bill laid before the Governor.

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:

Bills laid before the Governor.

Renaming the board of selectmen in the town of Hingham to the select board (see Senate, No. 2588);

Changing the board of selectmen of the town of Clinton to the select board (see House, No. 2183); and

UNCORRECTED PROOF.

Authorizing the town of Lancaster to continue the employment of Kevin Lamb (see House, No. 3761).

Orders.

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 Housing be granted until Monday, May 9, 2022 within which time to make its final report on current Senate document numbered 868, and House document numbered 1377.

Housing,-- extension order.

The rules were suspended, on motion of Mr. Keenan, and, after remarks, the order (House, No. 4424) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Housing be granted until Monday, May 9, 2022 within which time to make its final report on current Senate document numbered 886, and House document numbered 1378.

Id.

The rules were suspended, on motion of Mr. Keenan, and the order (House, No. 4426) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Bonding, Capital Expenditures and State Assets be granted until Friday, May 13, 2022 within which time to make its final report on current House document numbered 4336.

Bonding, Capital Expenditures and State Assets,-- extension order.

The rules were suspended, on motion of Mr. Collins, and, after remarks, the order (House, No. 4487) was considered forthwith; and adopted, in concurrence.

Reports of Committees.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order granting the committee on Financial Services be granted until April 30, 2022 within which time to make its final report on current Senate documents numbered 627, 639, 652, 656, 663, 665, 678, 682, 697, 703, 720, 726 and 732 relative to financial services matters (Senate, No. 2634),-- ought to pass.

Financial services,-- extension.

The rules were suspended, on motion of Mr. Feeney, and, after remarks, the matter was considered forthwith and adopted.

Sent to the House for concurrence.

By Ms. Lovely, for the committees on Rules of the two branches, acting concurrently, that the Senate Order granting the committee on Financial Services be granted until June 30, 2022 within which time to make its final report on current Senate documents numbered 709, 711 and 712 relative to financial services matters (Senate, No. 2635),-- ought to pass.

Id.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE

Orders.

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 Financial Services be granted until Thursday, June 30, 2022 within which time to make its final report on current House documents numbered 1048, 1111, 1134, 1152, 1161, 1162,

Financial Services,-- extension order.

1163 and 1178.

The rules were suspended, on motion of Mr. Feeney, and the order (House, No. 4390) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Saturday, April 30, 2022 within which time to make its final report on current House documents numbered 1038, 1094, 1133 and 1234.

Id.

The rules were suspended, on motion of Mr. Feeney, and the order (House, No. 4391) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Saturday, April 30, 2022 within which time to make its final report on current House documents numbered 1052, 1168 and 1223.

Id.

The rules were suspended, on motion of Mr. Feeney, and the order (House, No. 4392) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Financial Services be granted until Saturday, April 30, 2022 within which time to make its final report on current House documents numbered 1043, 1055, 1083, 1100, 1101, 1175 and 1224.

Id.

The rules were suspended, on motion of Mr. Feeney, and the order (House, No. 4393) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Covid-19 and Emergency Preparedness and Management be granted until Friday, April 15, 2022 within which time to make its final report on current Senate document numbered 253, and House documents numbered 480 and 496.

Covid-19 and
Emergency
Preparedness and
Management,--
extension order.

The rules were suspended, on motion of Ms. Comerford, and, after remarks, the order (House, No. 4537) was considered forthwith; and adopted, in concurrence.

Recess.

At eighteen minutes past two o'clock P.M., at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Mr. Brownsberger) declared a recess; and, at a quarter past three o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

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. 4578),-- was further considered, the main question being on ordering the bill to a third reading.

Supplemental
appropriations.

Messrs. Fattman, Tarr, O'Connor and Moore moved that the proposed new text be amended by inserting after section 62 the following sections:-

4

“SECTION 63. Notwithstanding any general or special law to the contrary, the commissioner of the department of revenue shall forgo collection of the tax per gallon as defined by section 1 of chapter 64A of the General Laws of motor vehicle fuel excise.

SECTION 64. Notwithstanding any general or special law to the contrary not more than 30 days following the resumption of the collection of the tax per gallon on motor vehicle fuel excise, the commissioner of the department of revenue shall certify to the comptroller of the commonwealth the amount of tax per gallon not collected and the

comptroller shall transfer the certified amount from the general fund to the state transportation fund.

SECTION 65. SECTION 63 is repealed.

SECTION 66. SECTION 65 shall go into effect on September 5, 2022.

SECTION 67. This act shall go into effect upon passage.”

Pending the question on adoption of the amendment, Messrs. O'Connor, Fattman, Tarr and Moore moved to amend the pending amendment by striking the language in its entirety and inserting in place thereof the following:- by inserting after section 62 the following sections:-

4.1

“SECTION 63. Notwithstanding any general or special law to the contrary, the commissioner of the department of revenue shall forgo collection of the tax per gallon as defined by section 1 of chapter 64A of the General Laws of motor vehicle fuel excise.

SECTION 64. Notwithstanding any general or special law to the contrary not more than 30 days following the resumption of the collection of the tax per gallon on motor vehicle fuel excise, the commissioner of the department of revenue shall certify to the comptroller of the commonwealth the amount of tax per gallon not collected and the comptroller shall transfer the certified amount from the general fund to the state transportation fund. The commissioner shall report to the house and senate committees on ways and means on the amount of tax per gallon not collected along with any findings and recommendations.

SECTION 65. SECTION 63 is repealed.

SECTION 66. SECTION 65 shall go into effect on September 5, 2022.

SECTION 67. This act shall go into effect upon passage.”

After debate, the further amendment was *rejected*.

The question on adoption of the pending amendment was determined by a call of the yeas and nays, at three minutes before four o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 11 – nays 29) [**Yeas and Nays No. 139**]:

YEAS.

Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Gobi, Anne M.
Montigny, Mark C.
Moore, Michael O.

O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **11.**

NAYS.

Barrett, Michael J.
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.

Friedman, Cindy F.
Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Moran, Susan L.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E. – **29.**

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

Ms. Jehlen, Ms. Moran, Messrs. Keenan and Eldridge, Ms. Comerford, Messrs. Gomez and Montigny, Ms. Rausch, Mr. Moore, Ms. Chang-Diaz and Ms. Gobi moved that the proposed new text be amended by inserting after section 20 the following section:-

“SECTION XX. Said subsection (b) of said section 2 of said chapter 257, as so amended, is hereby further amended by striking out the words ‘as the court may deem just and reasonable’ and inserting in place thereof the following words:- ‘until the application is approved or denied’.”

The amendment was *rejected*.

Ms. Jehlen, Mr. Eldridge, Ms. Comerford, Mr. Gomez, Ms. Rausch, Mr. Moore and Ms. Chang-Diaz moved that the proposed new text be amended by inserting after section 20 the following section:-

“SECTION 20A. Said subsection (b) of said section 2 of said chapter 257, as so amended, is hereby further amended by striking out the words ‘and provided further, that the court shall not enter a judgment or issue an execution before the application has been approved or denied’ and inserting in place thereof the following words:- ‘provided further, that the court shall not enter a judgment or issue an execution before the application has been approved or denied; and, provided further, that in an action for summary process under said chapter 239 where nonpayment of rent for a residential dwelling unit is not the sole reason for terminating the tenancy, clause (i) shall be satisfied if, at any time, the court determines that any reason other than nonpayment of rent that is alleged is without merit’.”

After remarks, the amendment was adopted.

Messrs. Collins and O'Connor moved that the proposed new text be amended by inserting after section 48 the following section:-

“SECTION 48A. Item 7010-0013 of said section 2A of said chapter 102 is hereby amended by striking out the words ‘Center for African, Caribbean and Community Development’ and inserting in place thereof the following words:- ‘Africana studies department’.”

After remarks, the amendment was adopted.

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

PAPERS FROM THE HOUSE

Orders.

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 The Judiciary be granted until Friday, April 15, 2022 within which time to make its final report on current House documents numbered 117, 135, 1462, 1471, 1479, 1512, 1518, 1519, 1522, 1530, 1531, 1557, 1567, 1569, 1576, 1598, 1599, 1601, 1602, 1616, 1636, 1639, 1643, 1644, 1645, 1661, 1664, 1665, 1709, 1712, 1714, 1763, 1781, 1792, 1795, 1798, 1819, 1826, 1832, 1849, 1860, 1894, 1900, 1901, 1902, 1904, 1905, 1908, 1912, 4290, 4303 and 4357.

The rules were suspended, on motion of Mr. Eldridge, and, after remarks, the order (House, No. 4384) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on The Judiciary be granted until Friday, April 15, 2022 within which time to make its final report on current House documents numbered 493, 3570, 4347 and 4444.

8

9

51

The Judiciary,--
extension order.

Id.

The rules were suspended, on motion of Mr. Eldridge, and the order (House, No. 4493) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Mental Health, Substance Use and Recovery be granted until Monday, May 9, 2022 within which time to make its final report on current Senate documents numbered 1257, 1258, 1259, 1260, 1264, 1266, 1267, 1268, 1272, 1273, 1274, 1275, 1277, 1278, 1280, 1281, 1282, 1283, 1284, 1285, 1287, 1291, 1292, 1293, 1294, 1295, 1296, 1297, 1298, 1300, 1301, 1302, 1303, 1304, 1305, 1306, 1309, 1310, 1311, 1312, 1315, 1316, 1317 and 1318, and House documents numbered 1041, 2062, 2063, 2064, 2065, 2066, 2067, 2069, 2070, 2071, 2073, 2074, 2075, 2076, 2079, 2081, 2082, 2083, 2084, 2085, 2088, 2089, 2090, 2092, 2094, 2095, 2096, 2097, 2098, 2104, 2105, 2106, 2109, 2111, 2113, 2114, 2115, 2116, 2117, 2119, 2120, 2122, 2124, 2125, 2126, 2127, 2128 and 3962.

Mental Health,
Substance Use and
Recovery,--
extension order.

The rules were suspended, on motion of Ms. Comerford, and, after remarks, the order (House, No. 4410) was considered forthwith; and adopted, in concurrence.

Orders of the Day.

The Orders of the Day were further considered as follows:

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. 4578),-- was further considered, the main question being on ordering the bill to a third reading.

Supplemental
appropriations.

Ms. Friedman, Ms. Jehlen, Messrs. O'Connor, Feeney and Gomez, Ms. Rausch and Messrs. Timilty, DiDomenico and Cyr moved that the proposed new text be amended by inserting after section 38 the following section:-

25

“SECTION 38A. Item 1599-2026 of section 2A of chapter 102 of the acts of 2021 is hereby amended by striking out the words ‘a portion of said funds shall be used to reimburse providers for 1-time costs associated with opening new behavioral health and substance use disorder treatment beds in calendar year 2022 or 2023, which are not covered by other reimbursement or grant sources including the MassHealth behavioral health incentive grants for fiscal year 2021 and fiscal year 2022’ and inserting in place thereof the following words:- ‘not less than \$12,000,000 shall be expended to the non-profit medical center established pursuant to chapter 147 of the acts of 1995 for 1-time costs associated with opening new behavioral health and substance use disorder treatment beds; provided further, that not less than \$12,000,000 shall be expended to the non-state, government public hospital system established pursuant to chapter 147 of the acts of 1996 for 1-time costs associated with opening new behavioral health beds.’; and

By inserting after section 39 the following section:-

“SECTION 39A. Said item 1599-2026 of said section 2A of said chapter 102 is hereby further amended by striking out the figure ‘\$400,000,000’ and inserting in place thereof the following figure:- ‘\$424,000,000’.”

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 2, in item 1599-4448, by striking out the figure “113,044,765” and inserting in place thereof the following figure:- “117,061,006”; and

45

By inserting after section 48 the following section:-

“SECTION 48A. Item 4000-0013 of said section 2A of said chapter 102 is hereby further amended by striking out the words ‘the Everett Haitian Community Center’ and inserting in place thereof the following words:- ‘Eben-Ezer Family and Children’s Services, Inc.’.”

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, read a third time and passed to be engrossed, in concurrence, with the amendment [For text of Senate bill, printed as amended, see Senate, No. 2793].

Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

Orders.

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 Children, Families and Persons with Disabilities be granted until Thursday, June 2, 2022 within which time to make its final report on current House document numbered 256.

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

The rules were suspended, on motion of Mr. Gomez, and, after remarks, the order (House, No. 4364) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Monday, May 2, 2022 within which time to make its final report on current Senate documents numbered 88, 89, 103, 104, 113, 114, 117, 124, 134, 139 and 144, and House documents numbered 211, 218, 228, 234, 236, 240, 242, 268 and 272.

Id.

The rules were suspended, on motion of Mr. Gomez, and the order (House, No. 4365) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Monday, May 2, 2022 within which time to make its final report on current House documents numbered 186 and 225.

Id.

The rules were suspended, on motion of Mr. Gomez, and the order (House, No. 4369) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Children, Families and Persons with Disabilities be granted until Monday, May 2, 2022 within which time to make its final report on current House document numbered 25.

Id.

The rules were suspended, on motion of Mr. Gomez, and the order (House, No. 4398) was considered forthwith; and adopted, in concurrence.

Moment of Silence.

At the request of the Chair (Mr. Brownsberger), the members, guests and staff stood in a moment of silence and reflection to the memory of Joseph Brill.

Moment of silence.

Order Adopted.

On motion of Ms. Rausch,--

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

Time of meeting.

a calendar.

Adjournment in Memory of Joseph Brill.

The Senator from Norfolk and Plymouth, Mr. Keenan, moved that when the Senate adjourns today, it adjourn in memory of Joseph Brill.

Joseph Brill, an advocate for veterans and Quincy's unofficial ambassador to the game of baseball, passed away Thursday, November 25, 2021, at the age of 66 while attending the annual Quincy-North Quincy football game at Veterans' Memorial Stadium.

Joe would have turned 67 today.

Joe, raised in Houghs Neck, was a 1974 graduate of Quincy High School, and served in the United States Navy from 1975 to 1979, having been stationed aboard the USS America. He worked for over 30 years with Delta Airlines and later for the Massachusetts State Lottery.

Joe was an active member of the Sons of American Legion, Squadron 294, Morrisette American Legion Post, serving as the squadron's Commander at the time of his death. Over the years, he held positions with the Morrisette Post and the Quincy Veterans Council. He took pride in helping veterans every day and volunteered each year to help Harveys Saltwater Fishing Club Vets Day and observances at the Quincy Veteran' Island.

Joe had a lifelong love for baseball, coaching and teaching generations of Quincy's children skills and sportsmanship. He was the biggest Red Sox fan and was well known and loved by everyone at Fenway Park, where he attended countless games. He suffered a heart attack at Fenway in September 2013 but recovered in time to watch the Red Sox clinch the 2013 World Series. He joined the Red Sox a few days later, riding in a duck boat during the victory parade. Almost a year to the date after his heart attack, Joe had the honor of throwing out the first pitch.

In recent years, Joe had been involved in the effort to restore a 1924 carousel his grandfather Dominick DeAngelis had operated in Houghs Neck from 1940 to 1954. A group of Buffalo, New York, residents looking to bring a historic carousel to their city agreed to purchase and restore the ride. Joe was thrilled to travel to Buffalo to help, and the carousel is now open at its new home on the shores of Lake Erie.

Joe's love of veterans and baseball was matched by his love for Quincy. He never missed an event, was always there to help family, friends, neighbors, and anybody else in need. His smile, jokes, care, and concern are missed by all who call Quincy home.

Most of all, Joe loved his family. He is survived by his beloved wife Theresa M. Brill and was a loving father to Victoria Brill of Albany, New York, and Andrew Panagraze of Holbrook. He is also survived by his parents Robert P. Brill Sr. and Clementine DeAngelis of Houghs Neck. He was the brother of Donna Rowan and Richard Brill of Quincy, Catherine Brill of Braintree, and the late John F. Brill and Robert P. Brill. He is also survived by his loving nieces and nephew.

Accordingly, as a mark of respect to the memory of Joseph Brill, at fourteen minutes before five o'clock P.M., on motion of Mr. Tarr, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.