

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



THURSDAY, MARCH 21, 2024

[25]

JOURNAL OF THE SENATE

Thursday, March 21, 2024.

Met at twenty 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 following guests were introduced:

The Chair (Ms. Creem) handed the gavel to Mr. Keenan for the purpose of an introduction. Mr. Keenan then introduced, in the rear of the Chamber, the New England Free Jacks professional rugby team from Quincy. The team was recognized for winning the 2023 Major League Ruby Championship and for their hard work and dedication throughout their season. They were accompanied by Head Coach Scott Mathie. The Senate applauded their accomplishments, they were presented with a Senate Resolutions and withdrew from the Chamber.

New England Free Jacks.

The Chair (Ms. Creem) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, in the well of the Chamber, the Milton High School football team, cheerleaders and marching band. The Wildcats were recognized for winning their first MIAA Division 3 Super Bowl championship title at Gillette Stadium on November 30, 2023. The teams were accompanied by football coaches: Steve Dembowski, Dan Jarboe, Michael Lopez, Andrew Hunt, Thomas Phelan, Zachary Mazzarella, Jack Clifford, Michael Donovan and Doumick Metayer, cheer coaches: Courtney Chester and Kerin O'Brien and band leaders: Rebecca Damiani, Dane Matejka, Aidan Guilderson, Grace Marinilli and Nicole Allen, Athletic Director Michael Bierwirth, Principal Karen Cahill and Representative William Driscoll of Milton. The teams were applauded for their accomplishments, presented Senate Citations on the Rostrum and withdrew from the Chamber.

Milton High School.

The Chair (Ms. Creem) handed the gavel to Mr. Rush for the purpose of an introduction. Mr. Rush then introduced, in the rear of the Chamber, his brother Professor Mark Rush. Professor Rush is the Waxberg Professor of Politics and Law and Director of the Center for International Education at Washington and Lee University, where he has worked for over thirty years. He holds a B.A. cum laude from Harvard and an M.A. and Ph.D. from John Hopkins. Professor Rush was recognized for serving as Dean of the College of Arts and Sciences at the American University of Sharjah in the United Arab Emirates and is currently on the board of directors of IES Abroad where he is also chair of the general conference. The Senate welcomed him with applause and he withdrew from the Chamber.

Professor Mark Rush.

Communication.

Communication from the Department of Public Health relative to its plan of correction for the Berkshire County Jail and House of Correction inspection on February

DPH,--plan of correction.

28, 2024 (received March 18, 2024),-- **was placed on file.**

SD3119

Report.

Report of the Executive Office of Health and Human Services (pursuant to Chapter 450 of the Acts of 2014) relative to the Special Commission on Unaccompanied Homeless Youth (received March 19, 2024),-- **placed on file.**

EOHHS,-- homeless youth report.
SD3120

Reports of Committees.

By Mr. Pacheco, for the committee on Emergency Preparedness and Management, on petition, a Resolve relative to preventing the discharge of radioactive materials (Senate, No. 442);

Radioactive materials,-- discharge.

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition, a Bill establishing a special commission to study the noise effects of hunting migratory game birds in neighborhoods and communities within established coastal zones (Senate, No. 454); and

Hunting noise,-- commission.

By Mr. Cyr, for the committee on Public Health, on petition, a Bill establishing an oral health special commission and needs assessment (Senate, No. 1392);

Oral health,-- commission.

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

By Mr. Cyr, for the committee on Public Health, on petition, a Bill supporting access to training on reproductive and gender-affirming care (Senate, No. 212);

Gender-affirming care.

By the same Senator, for the same committee, on petition, a Bill relative to modernizing the regulation of clinical laboratories (Senate, No. 1343);

Clinical laboratories,-- regulations.

By the same Senator, for the same committee, on Senate, No. 1347 and House, No. 2229, a Bill relative to anesthesiologist assistants (Senate, No. 1347);

Anesthesiologist assistants.

By the same Senator, for the same committee, on Senate, No. 1354 and House, No. 2135, a Bill relative to removing barriers to care for physician assistants (Senate, No. 1354);

Physicians assistants,-- patient care.

By the same Senator, for the same committee, on petition, a Bill relative to LGBTQ health equity (Senate, No. 1358);

LGBTQ health equity.

By the same Senator, for the same committee, on petition, a Bill relative to the health care workforce (Senate, No. 1377);

Health care workforce.

By the same Senator, for the same committee, on Senate, No. 1383 and House, No. 2148, a Bill relative to the board of registration in naturopathy (Senate, No. 1383);

Naturopathy,-- board of registration.

By the same Senator, for the same committee, on Senate, No. 1400 and House, No. 2226, a Bill to promote public health through the prevention and wellness trust fund (Senate, No. 1400);

Prevention and wellness trust fund.

By the same Senator, for the same committee, on Senate, No. 1402 and House, No. 2224, a Bill improving healthcare delivery for underserved residents of the commonwealth (Senate, No. 1402);

Internationally-trained physician,-- health care.

By the same Senator, for the same committee, on Senate, No. 1407 and House, No. 2264, a Bill to create equitable approaches to public health (Senate, No. 1407);

Public health,-- equitable approaches.

By the same Senator, for the same committee, on petition, a Bill ensuring access to a resident representative in long-term care facilities (Senate, No. 1417);

Resident representative,-- care facilities.

By the same Senator, for the same committee, on petition, a Bill to restore integrity in the marketing of pharmaceutical products and medical devices (Senate, No. 1418);

Pharmaceutical products,-- marketing.

By the same Senator, for the same committee, on petition, a Bill to prevent undue influence on prescriber behavior (Senate, No. 1419);

Prescribers,-- influences.

UNCORRECTED PROOF.

By the same Senator, for the same committee, on petition, a Bill to improve infection control within long-term care facilities (Senate, No. 1422); and

By the same Senator, for the same committee, on petition, a Bill relative to baseline concussion testing for student athletes (Senate, No. 1454);

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

By Mr. Cronin, for the committee on Community Development and Small Businesses, on petition, a Bill to promote downtown vitality (Senate, No. 130);

By the same Senator, for the same committee, on petition, a Bill encouraging the adoption of smart growth and starter home zoning districts (Senate, No. 131);

By Mr. Lewis, for the committee on Education, on Senate, No. 263, a Bill to promote high-quality early literacy instruction and improve student outcomes (Senate, No. 2653);

By the same Senator, for the same committee, on Senate, Nos. 262, 279, 287, 291 and 347 and House, Nos. 446, 474, 596 and 3572, a Bill relative to the board of elementary and secondary education (Senate, No. 2661);

By the same Senator, for the same committee, on Senate, Nos. 266, 282, 285, 290, 294, 300, 305, 341 and 348, a Bill to reduce exclusionary discipline for violations of rules related to student grooming and dress (Senate, No. 2663);

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition, a Bill to restrict the use of certain pesticides around children (Senate, No. 444);

By the same Senator, for the same committee, on petition, a Bill establishing an ecologically-based mosquito management program in the Commonwealth to protect public health (Senate, No. 445);

By the same Senator, for the same committee, on Senate, No. 446 and House, No. 769, a Bill expanding access to trails for people of all abilities (Senate, No. 446);

By the same Senator, for the same committee, on Senate, No. 451 and House, No. 765, a Bill to establish a grant and loan program for low-noise, low-emissions landscape maintenance equipment (Senate, No. 451);

By the same Senator, for the same committee, on petition, a Bill establishing the Municipal Reforestation Program (Senate, No. 452);

By the same Senator, for the same committee, on petition, a Bill to promote nature-based approaches for resiliency and climate change adaptation throughout the Commonwealth (Senate, No. 458);

By the same Senator, for the same committee, on petition, a Bill relative to the pesticide board (Senate, No. 461);

By the same Senator, for the same committee, on petition, a Bill relative to recreation on private tidelands (Senate, No. 462);

By the same Senator, for the same committee, on petition, a Bill protecting our coasts from offshore drilling (Senate, No. 464);

By Mr. Cyr, for the committee on Public Health, on Senate, No. 1338 and House, No. 2183, a Bill to improve food allergy awareness (Senate, No. 1338);

By the same Senator, for the same committee, on petition, a Bill to prohibit the use of lead paint on outdoor structures (Senate, No. 1389);

By the same Senator, for the same committee, on Senate, No. 1396 and House, No. 2210, a Bill to protect youth from the health risks of sugary drinks (Senate, No. 1396);

By the same Senator, for the same committee, on petition, a Bill to establish a human service transportation (HST) consumer advisory board (Senate, No. 1434);

By the same Senator, for the same committee, on petition, a Bill to require the Department of Public Health to conduct a study of the health impacts of airplane flights on

Long-term care facility,-- infection.

Concussion testing,-- student athletes.

Downtown vitality,-- board.

Zoning districts.

Elementary schools,-- literacy.

ESE,-- board.

Schools,-- exclusionary discipline.

Pesticides,-- exposure to children.

Mosquito management program.

Trails,-- access.

Low-emissions,-- grant and loan program.

Reforestation program.

Climate change,-- nature-based approaches.

Pesticide board.

Private tidelands,-- recreation.

Offshore drilling,-- coasts.

Food allergy,-- awareness.

Lead paint,-- outdoor structures.

Sugary drinks,-- marketing.

Human Service Transportation,-- advisory board.

Airplane flights,-- health study.

the resident communities that are represented on the Massachusetts Port Authority Community Advisory Committee (Senate, No. 1471); and

By the same Senator, for the same committee, on Senate, No. 1473 and House, No. 2271, a Bill relative to licensure demographics (Senate, No. 1473);

Licensure demographics.

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

By Mr. Cyr, for the committee on Public Health, on Senate, No. 1395 and House, No. 2231, a Bill to require the disclosure of lead in water pipes (Senate, No. 1395),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Water pipes,-- disclosure of lead.

By Mr. Keenan, for the committee on Election Laws, on petition, a Bill authorizing the town moderator of the town of Monson to act as an election officer in certain elections (Senate, No. 2500) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Monson,-- election officer.

PAPERS FROM THE HOUSE.

Notice was received from the House of Representatives announcing the following appointment by the Speaker:

Representative Farley-Bouvier of Pittsfield has been nominated to serve as his designee on the National Conference of State Legislatures' Task Force on Artificial Intelligence, Cybersecurity and Privacy.

NCSL Task Force on AI, Cybersecurity and Privacy.

A Bill relative to the Greater Lawrence Regional Vocational Technical high school (House, No. 4384,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Greater Lawrence Regional Vocational Technical High School.

Bills

Authorizing the town of Mashpee to lease certain town land to the Boys and Girls Club of Cape Cod, Inc (House, No. 4185, amended,-- on petition) [Local approval received]; and

Mashpee,-- land transfer.

Relative to the treasurer-collector of the town of Sherborn (House, No. 4224,-- on petition) [Local approval received];

Sherborn,-- treasurer-collector.

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

Resolutions.

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

Resolutions (filed by Mr. Feeney) "congratulating Alfred D. Benjamin on the occasion of his one hundredth birthday", and

Alfred D. Benjamin.

Resolutions (filed by Mr. Keenan, Ms. Edwards, Messrs. Finegold, Gomez and Lewis, Ms. Lovely, Messrs. Moore, O'Connor, Oliveira, Pacheco, Timilty, Feeney, Crighton and DiDomenico, Ms. Miranda, Messrs. Rush, Velis and Payano, Ms. Rausch, Ms. Moran, Ms. Jehlen, Messrs. Cronin, Barrett, Mark, Montigny, Brownsberger, Kennedy, Cyr and Collins, Ms. Creem, Messrs. Durant, Eldridge, Rodrigues, Brady and Fattman, Ms. Kennedy, Ms. Comerford, Ms. Friedman and Mr. Tarr "congratulating the New England Free Jacks on winning the 2023 Major League Rugby Championship."

New England Free Jacks.

PAPERS FROM THE HOUSE

UNCORRECTED PROOF.

Emergency Preamble Adopted.

An engrossed Bill designating a certain bridge in the city of Leominster as the Honorable John Walter Olver memorial bridge (see Senate, No. 2609), 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 7 to 0.

Leominster,-- Hon.
John Olver bridge.

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

Engrossed Bills.

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

Bills laid before the
Governor.

Increasing the exemption for residential property in the town of Wellfleet (see House, No. 2914);

Amending the charter of the city of Easthampton (see House, No. 3959, amended);
and

Increasing the membership of the select board of the town of Merrimac from 3 to 5 members (see House, No. 4097).

Reconsideration.

Mr. Fattman presented a motion that the Senate reconsider the vote by which, at the previous session it had passed to be engrossed and had adopted an amendment offered by the same Senator to the House Bill changing the name of the board of selectmen of the town of Uxbridge to the select board (House, No. 3986, amended).

Uxbridge,-- board of
selectmen.

The motion prevailed.

Pending the recurring question on passing the bill to be engrossed, the same Senator offered an amendment striking out, in line 8, the words “, zoning by-laws and the charter” (as inserted by amendment by the House) and inserting in place thereof the following words:- “and zoning by-laws”.

This amendment was adopted.

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

Sent to the House for concurrence in the amendment.

Communication.

The Clerk read the following communication:

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

March 19, 2024

Senator Michael J.
Barrett,-- voting
correction.

Michael D. Hurley
Senate Clerk
Suite 335
Boston, MA 02133

Dear Senate Clerk Hurley:

On March 14th in Senate Session -- during debate on S.2697, An Act ensuring

affordability, readiness and learning for our youth and driving economic development -- I was recorded during Roll Call No. 115 in the affirmative. I wish to correct the record and have my vote recorded as a nay. Thank you.

Appreciatively,

Senator Mike Barrett
Third Middlesex District

On motion of Mr. Barrett, the above communication was ordered printed in the Journal of the Senate.

Ordered printed.

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 Kevin Wood for legislation relative to educator license accountability.

Educator license.
SD3011

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

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 Bruce E. Tarr, Kathleen R. LaNatra, Joan B. Lovely, Susan Williams Gifford, and other members of the General Court for legislation relative to abandoned fishing gear.

Fishing gear,--
abandoned.
SD3009

Senate Rule 36 was suspended, on motion of Ms. Lovely, and the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Environment and Natural Resources.

Severally sent to the House for 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 Public Service until June 30, 2024, within which time to make its final report on current Senate documents numbered 1609, 1610, 1616, 1618, 1620, 1621, 1629, 1638, 1646, 1650, 1654, 1658, 1659, 1660, 1664, 1665, 1669, 1680, 1683, 1686, 1692, 1695, 1702, 1706, 1707, 1712, 1713, 1721, 1722, 1729, 1732, 1738, 1739, 1742, 1746, 1747, 1754, 2396, and 2453, relative to public service matters (Senate, No. 2606),-- ought to be adopted.

Public Service,--
extension order.

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

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4504) of Tackey Chan and Paul R. Feeney for legislation to clarify self-storage laws;

Self-storage law.

Under suspension of Joint Rule 12, to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4505) of Paul J. Donato for legislation to authorize the Middlesex District Attorney's Office to establish a pilot program to improve communications between local law enforcement and victims in Middlesex County;

Middlesex county,--
pilot program.

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

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 Elder Affairs be granted until Sunday, April 7, 2024 within which time to make its final report on current Senate documents numbered 388 and 401, and House document numbered 4198.

Elder Affairs,--
extension order.

The rules were suspended, on motion of Mr. Montigny, and, after remarks, the order (House, No. 4315) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Wednesday, April 10, 2024 within which time to make its final report on current Senate documents numbered 1148, 1158, 1161, 1216 and 1224, and House documents numbered 1846 and 1868.

Labor and Workforce
Development,--
extension order.

The rules were suspended, on motion of Ms. Jehlen, and, after remarks, the order (House, No. 4339) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Tuesday, April 30, 2024 within which time to make its final report on current Senate documents numbered 921, 1757, 1760, 1761, 1762, 1771, 1773, 1774, 1781, 1782, 1786, 1789, 1794, 1795, 1799, 1800, 1811, 1813, 1831, 1834, 1836, 1837, 1838, 1839, 1842, 1861, 1864, 1868, 1869, 1876, 1877, 1888, 1894, 1904, 1905, 1906, 1914, 1930, 1953, 1960, 1961, 2419, 2421, 2465 and 2466, and House documents numbered 2701, 2702, 2705, 2710, 2712, 2729, 2730, 2733, 2739, 2740, 2741, 2747, 2749, 2758, 2768, 2788, 2793, 2798, 2799, 2800, 2801, 2809, 2812, 2816, 2817, 2818, 2823, 2824, 2832, 2835, 2838, 2840, 2857, 2858, 2859, 2865, 2870, 2872, 2874, 2876, 2878, 2879, 2882, 2883, 2891, 2893, 2894, 2906, 2907, 2911, 2915, 2916, 2923, 2931, 2937, 2943, 2944, 2948, 2949, 2950, 2958, 2962, 2963, 2969, 2971, 3660, 3661, 3665, 3733, 3734, 3736, 3804, 3845, 4000, 4063, 4106, 4128 and 4151.

Revenue,-- extension
order.

The rules were suspended, on motion of Ms. Moran, and, after debate, the order (House, No. 4379) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Revenue be granted until Tuesday, April 30, 2024 within which time to make its final report on current House document numbered 4271.

Id.

The rules were suspended, on motion of Ms. Moran, and, the order (House, No. 4434) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Veterans and Federal Affairs be granted until Tuesday, April 30, 2024 within which time to make its final report on current Senate documents numbered 1750, 2310, 2311, 2313, 2314, 2315, 2318, 2321, 2322, 2323, 2324, 2327, 2335, 2336, 2338, 2339, 2346, 2352, 2353, 2356, 2357, 2359, 2361, 2362, 2363, 2364 and 2489, and House documents numbered 2627, 2662, 3482, 3488, 3490, 3491, 3492, 3496, 3497, 3498, 3503, 3506, 3509, 3514, 3515, 3519, 3523, 3524, 3526, 3529, 3531, 3532, 3537, 3540, 4021, 4152 and 4172.

Veterans and Federal
Affairs,-- extension
order.

The rules were suspended, on motion of Mr. Velis, and, after remarks, the order (House, No. 4314) was considered forthwith; and adopted, in concurrence.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Advanced Information Technology, the Internet and Cybersecurity be granted until Monday, April 8, 2024 within which time to make its final report on current Senate documents numbered 25, 34, 195 and 227, and House documents numbered 60, 63, 74, 80

Advanced
Information
Technology, the
Internet and
Cybersecurity,--

and 83.

extension order.

The rules were suspended, on motion of Mr. Lewis, and, after remarks, the order (House, No. 4299) was considered forthwith; and adopted, in concurrence.

Orders of the Day.

The Orders of the Day were considered as follows:

Bills

Second reading bills.

Authorizing the town of Milton to use certain property for school purposes (Senate, No. 2549);

Relative to the provision of health insurance for eligible employees and retirees in the town of Worthington (House, No. 4231); and

In the town of Hanson local licenses and permits; denial, revocation or suspension for failure to comply with conditions of approval (House, No. 4467).

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

The House Bill to prevent abuse and exploitation (House, No. 4241),-- was read a second time.

Abuse and exploitation,-- prevention.
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Ms. Friedman in the Chair, after remarks, pending the question on adoption of the amendment previously recommended by the committee on Senate Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2703, and pending the main question on ordering the bill to a third reading, Ms. Creem, Mr. Mark and Ms. Edwards moved that the proposed new text be amended in section 1, in subsection (a) of proposed section 15, by inserting after the first sentence the following sentence:- "The office of the child advocate shall consult with the Jane Doe, Inc.: The Massachusetts Coalition Against Sexual Assault and Domestic Violence and MASOC, Inc. in the development of the program."

The amendment was adopted.

Mr. O'Connor moved that the proposed new text be amended by adding the following sections:-

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"SECTION X. Paragraph D of said section 99 of said chapter 272, as so appearing, is hereby amended by the insertion of the following language as subparagraph (1) (g): for any person to commit and interception, attempt to commit an interception or procure another to commit or attempt an interception, or to aid and abet or jointly commit or attempt to commit or procure an interception of any communication made by another to the person making the interception in circumstances under which the interception is made in order to make a record of threats, harassment, or other crimes in relation to divorce or child custody matters or in relation to orders issued under Chapter 209A or 258E.

SECTION X. Paragraph D of said section 99 of said chapter 272 as so appearing, is hereby amended by insertion of the following language as subparagraph (2) (f) Any person who has committed an interception of any communication made by another in circumstances under which the interception is made to make a record of threats, harassment, or other crimes in relation to divorce or custody matters or in relation to orders issued under Chapter 209A or 258E may disclose said recording.

SECTION X. Paragraph D of said section 99 of said chapter 272, as so appearing, is hereby amended by the insertion of the following language as subparagraph (2) (g) Any person who has committed an interception of any communication made by another in circumstances under which the interception is made in order to make a record of threats, harassment, or other crimes in relation to divorce or child custody matters, or in relation to orders issued under Chapter 209A or 258E bears the burden of proof, in a prosecution

for such interception, or attempt, or procurement of such interception, or for disclosure of such interception, to demonstrate by a preponderance of the evidence that said conduct was exempt or permitted under this section.”

The amendment was *rejected*.

Messrs. Moore and O’Connor moved that the proposed new text be amended in section 1, by striking out, in lines 15 and 16, the words “and (iv) the connection between adolescents possessing or disseminating sexual images and sexual assault, dating violence and bullying” and inserting in place thereof the following words:- “(iv) the responsible use of generative artificial intelligence and other visual material digitization tools; and (v) the connection between adolescents’ possessing or disseminating sexual images and sexual assault, dating violence and bullying”. 13

After remarks, the amendment was adopted.

Messrs. Moore and O’Connor moved that the proposed new text be amended by striking out, in line 124, the word “and” and inserting in place thereof the following word:- “or”. 14

The amendment was *rejected*.

Messrs. Moore, O’Connor and Montigny moved that the proposed new text be amended by inserting after section __ the following section:- 15

“SECTION __. Section 31 of chapter 272 of the General Laws is hereby amended by inserting, at the end of the definition of ‘visual material’, the following sentence:-

The words ‘visual material’ shall include visual material produced by digitization, as defined by section 43A of chapter 265.”

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended by inserting the following section:- 16

“SECTION X. Chapter 209A is hereby further amended in section 7 by inserting after the word ‘system’ at the end of the eighth paragraph the following new paragraph:-

‘The removal or destroying of said global positioning satellite tracking device without judicial approval or without a showing of necessity to prevent greater harm shall constitute a felony with a mandatory minimum sentence of 2 years in a state prison.’”

The amendment was *rejected*.

Messrs. Tarr, O’Connor and Moore moved that the proposed new text be amended by inserting at the end of line 29 the following:- “Provided that age-appropriate information relative to this act, including a description of the law, the consequences of violating its provisions, resources for reporting suspected violations, and other explanatory information, shall be included in any student handbook provided pursuant to section 37H of Chapter 71 of the general laws as appearing in the 2022 edition”. 17

After remarks, the amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended in section 4, by inserting after the words “physical safety”, both times it appears, the following words:- “or autonomy”. 19

The amendment was *rejected*.

Messrs. Moore, O’Connor and Montigny moved that the proposed new text be amended in section 4, by striking out clause H and inserting in place thereof the following clause:- 20

“(H) threatening to publish sensitive personal information relating to the family or household member, including sexually explicit images of the family or household member; or”.

The amendment was *rejected*.

Messrs. Moore, Montigny and Timilty moved that the proposed new text be amended in section 4, by inserting after clause H the following clause:- 21

“(I) using repeated court actions found by a court not to be warranted by existing law or good faith argument; or”.

The amendment was *rejected*.

Messrs. O’Connor and Moore moved that the proposed new text be amended by adding the following section:-

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“SECTION X. Chapter 276 of the general laws, as so appearing, is hereby amended by inserting the following section:-

Section 99C. Domestic violence and sexual assault probation unit

There shall be established in the superior court department, the Boston municipal court department, and divisions of the probate and family and district court departments a domestic violence and sexual assault probation unit within the court’s probation department. For the purposes of this section, the word “victim” shall mean a complainant that has filed a complaint under chapter 209A. For the purposes of this section, the word “unit” shall mean the domestic violence and sexual assault probation unit. The unit shall consist of:

(a) a domestic violence and sexual assault victim advocate who shall be stationed in the probation department and employed by an external non-profit organization whose mission includes but is not limited to advocating for victims of domestic violence and sexual assault by way of prevention and intervention services, receiving and handling victim complaints against probation officers, raising public awareness, and promoting safety and justice. The victim advocate shall act as the primary liaison between a victim that has filed a complaint and probation officers assigned to the victim’s open case. The victim advocate shall notify victims of any scheduled proceedings pursuant to the victim’s complaint, their rights in the probation process as established in the Victims Bill of Rights in Section 3 of Chapter 258B of the General Laws, as amended by this act, as well as the contact information of the probation officer assigned to the respondent of the victim’s complaint. The victim advocate shall interact with certified batterer’s treatment programs if the respondent is so enrolled to obtain current information to provide associated probation officers. The victim advocate shall compile and maintain pertinent information as to the victim and their complaint, including but not limited to victim contact with release risk assessments, police reports relating to arrests and non-arrests, board of probation record, the interstate identification index, restraining orders and affidavits, victim statements, medical reports and photographs evidencing injury, and reports from certified batterer’s treatment programs.

(b) probation officers as established in section 83 of chapter 276 of the general laws who shall exclusively be assigned to cases and complaints involving domestic violence and sexual assault. Probation officers within the unit shall be assigned to an offender or respondent to a domestic violence or sexual assault case or complaint. The probation officer that is assigned to an offender or respondent shall continue to serve the same client if they are found to have re-offended or committed the same offense against the original victim or a new victim. Probation officers within the unit, in addition to the training and education set forth in section 85 of said chapter 276, shall attend a training course on domestic violence and sexual assault and interacting with offenders. Said training course shall be designed and certified by the Governor’s council to address sexual assault and domestic violence in collaboration with any affiliate non-profit organizations. If a probation officer’s assigned respondent or offender enrolls in a certified batterer’s treatment program and is found to be non-compliant with the requirements of the program, the probation officer shall surrender the assigned respondent or offender. During hearings and proceedings, probation officers shall disclose to the judge all material relative to the respondent’s conduct including but not limited to any contact with the victim, global positioning satellite tracking device maintenance, or violations of conditions of release.

SECTION X. Chapter 276 of the general laws is hereby further amended in section 58A subsection (2) by inserting a new subparagraph after subparagraph (2)(B):-

(C) subject to the condition that the person maintain or commence a certified batterers' treatment program in the case of a violation of an order pursuant to section 3, 4 or 5 of chapter 209 A, or a misdemeanor or felony involving abuse as defined in section 1 of said chapter 209A or of a violation of an order of protection issued under said chapter 209A in effect”.

The amendment was *rejected*.

Mr. O'Connor moved that the proposed new text be amended by adding the following section:-

27

“SECTION X. The General Laws, as so appearing, are hereby amended in Chapter 41 by adding the following:-

Section 97D1/2. The attorney general in coordination with the secretary of the office of public safety and security shall develop and promulgate guidelines by no later than July 1, 2024 to all district attorneys regarding rights of persons to ask and know about prior reports and instances of abuse as defined in section 1 of chapter 209A perpetrated by their intimate partner, ex-partner, or household member. Said guidelines shall include streamlined and simplified procedures for a person to seek a disclosure and reasonable, as well as standards of review for a request which shall include determining (i) that the disclosure is necessary to protect the person from being the victim of a crime, (ii) that there is a pressing need for the disclosure, and (iii) that the interference with the perpetrator's rights is necessary and proportionate for the prevention of crime. The guidelines shall provide that pursuant to a request for disclosure, district attorneys may lawfully disclose information about violent or abusive behavior of a person that may threaten the safety of that person's current or ex-partner. Said information may be arising from a criminal investigation, through agency involvement, or from another source of police intelligence.”

The amendment was *rejected*.

Mr. Mark and Ms. Comerford moved that the proposed new text be amended in section 3, by inserting after the words “educational diversion program developed under section 15 of chapter 18C;” the following words:- “provided however that to determine whether an educational diversion program may be beneficial to a delinquent child or alleged delinquent child, a complete screening assessment will be conducted, which should address key components of the behavior such as the context, developmental stage, development competency, motivation, tactics used, and the impact;”.

28

The amendment was *rejected*.

Messrs. Mark and Moore moved that the proposed new text be amended by inserting after section 7, the following section:-

30

“Section 8. Chapter 272 Section 105 of the 2020 General Laws, as appearing in the 2020 edition, is hereby amended by striking subsections (a) and (b) and inserting in their place the following 2 subsections:

(a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Electronically surveils’ or ‘electronically surveilled’, to view, obtain, or record a person's visual image by the use or aid of a camera, cellular or other wireless communications device, computer, television, or other electronic device.

‘Partially nude’, partially unclothed, such that one or more sexual or other intimate parts as defined herein is exposed.

‘Sexual or other intimate parts’, human genitals, buttocks, pubic area, or female nipples and areola, or any part thereof.

(b) Whoever:

(i) willfully photographs, videotapes, or electronically surveils another person who

is nude or partially nude, with the intent to secretly conduct or hide such activity, when the other person in such place and circumstance would have a reasonable expectation of privacy in not being so photographed, videotaped, or electronically surveilled, or;

(ii) willfully photographs, videotapes, or electronically surveils the sexual or other intimate parts of another person, whether or not such parts are clothed, with the intent to secretly conduct or hide such activity, and with the intent to focus on or otherwise invade the privacy of the person's sexual or other intimate parts;

shall be punished by imprisonment in the house of correction for not more than 2 1/2 years or by a fine of not more than \$5,000, or by both, if the victim is 18 years or older; or by imprisonment in the house of correction for not more than 2 1/2 years, or by imprisonment in the state prison for not more than 5 years, or by a fine of not more than \$10,000, or by both such fine and imprisonment, if the victim is less than 18 years of age or is otherwise incompetent. The actual knowledge and consent of the person so photographed, videotaped, or electronically surveilled shall be an affirmative defense to the offense stated herein provided that the person is competent to grant consent.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting at the end of the text the following section:-

31

“SECTION __. The Department of Early and Secondary Education in conjunction with the Executive Office of Public Safety and Security shall annually and no later than December 31 report on methods and practices to combat the activity more commonly known as ‘sexting’. This report shall detail any and all actions theories and plans devised by the Department and the Executive Office that are not mentioned within the program pursuant to Section 15 of Chapter 18C of the general laws. This report shall be filed with the Clerks of the House and Senate.”

After remarks, the amendment was *rejected*.

Mr. Payano and Ms. Edwards moved that the proposed new text be amended in section 3, by inserting after the word “probation”, in line 56, the following words:- “upon a showing that failure to proceed with the prosecution would result in the substantial likelihood of serious harm to a member of the community”.

25

After remarks, the amendment was adopted.

Mr. Cyr, Ms. Edwards and Mr. Gomez moved that the proposed new text be amended in section 1, by inserting after the word “services”, in line 5, the following words:- “, the commission on lesbian, gay, bisexual, transgender, queer and questioning youth”.

7

After remarks, the amendment was adopted.

Ms. Edwards, Ms. Kennedy, Ms. Rausch, Ms. Jehlen, Ms. Miranda and Mr. Gomez moved that the proposed new text be amended by inserting after section the following section:-

4

“SECTION 4A. Section 1 of chapter 258E of the General Laws, as so appearing, is hereby amended by striking out the definitions of ‘Harassment’ and ‘Court’ and inserting in place thereof the following 3 definitions:-

‘Coercive control’, either:

(i) a pattern of behavior intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a person that causes that person to reasonably fear physical harm or have a reduced sense of physical safety including, but not limited to: (A) isolating the person from friends, relatives or other sources of support; (B) depriving the person of basic needs; (C) controlling, regulating or monitoring the person's activities, communications, movements, finances, economic resources or access to services, including through technological means; (D) compelling the person to abstain from or engage in a specific behavior or activity, including engaging in criminal activity; (E) threatening to harm a child or relative of the person; (F) threatening to commit cruelty or

abuse to an animal connected to the person; (G) intentionally damaging property belonging to the person; or (H) threatening to publish sexually explicit images of the person; or

(ii) a single act intended to threaten, intimidate, harass, isolate, control, coerce or compel compliance of a person that causes the person to reasonably fear physical harm or have a reduced sense of physical safety including, but not limited to: (A) harming a child or relative of the person; (B) committing abuse to an animal connected to the person; or (C) publishing sexually explicit images of the person; provided, however, ‘coercive control’ shall not include isolated conduct undertaken by an individual to protect themselves or their children from the risk of present or future harm.

‘Court’, the district or Boston municipal court, the superior court or the juvenile court departments of the trial court.

‘Harassment’, (i) 3 or more acts of willful and malicious conduct aimed at a specific person committed with the intent to cause fear, intimidation, abuse or damage to property and that does in fact cause fear, intimidation, abuse or damage to property; (ii) coercive control; or (iii) an act that: (A) by force, threat or duress causes another to involuntarily engage in sexual relations; or (B) constitutes a violation of section 13B, 13F, 13H, 22, 22A, 23, 24, 24B, 26C, 43 or 43A of chapter 265 or section 3 of chapter 272.”

After remarks, the amendment was adopted.

Ms. Edwards moved that the proposed new text be amended in section 4, in line 83, by adding the following words in subsection (H):- “or sext material;”.

5

The amendment was *rejected*.

Messrs. Tarr, O’Connor and Moore moved that the proposed new text be amended in section 6, by inserting after the word “imprisonment.”, in line 129, the following sentence:- “Nothing in this section shall preclude a prosecution under section 29C of chapter 272.”

10

After remarks, the amendment was adopted.

Messrs. Tarr and O’Connor and Ms. Edwards moved that the proposed new text be amended by adding the following section:-

23

“SECTION 8. The Massachusetts District Attorneys Association shall work with the 11 district attorneys’ offices to prepare and submit, not later than February 15, an annual report on its actions under section 29D of chapter 272 of the General Laws to the clerks of the senate and house of representatives. The association shall provide the district attorneys’ offices with an agreed-upon template to prepare the report that shall include, but not be limited to: (i) the number of cases where the alleged offender was directed to enter into the educational diversion program developed under section 15 of chapter 18C of the General Laws for an alleged violation of section 29D of chapter 272 of the General Laws; (ii) the number of arraignments conducted for an alleged violation of said section 29D of said chapter 272; (iii) to the extent feasible, the age and sex of the person that was diverted or arraigned for alleged violations of said section 29D of said chapter; and (iv) any other information which the association deems relevant and necessary within the scope of the report.”

After remarks, the amendment was adopted.

Mr. Cyr, Ms. Edwards and Messrs. Moore and Tarr moved that the proposed new text be amended by adding the following section:-

9

“SECTION 8. (a) There shall be a commission to examine and investigate the potential impacts and legal implications of advanced technology and the internet on protecting individuals from harm, abuse and exploitation.

(b) The commission shall consist of: the attorney general or a designee, who shall serve as chair; the chairs of the joint committee on the judiciary or their designees; the chairs of the joint committee on advanced information technology, the internet and cybersecurity or their designees; the minority leader of the senate or a designee; the minority leader of the house of representatives or a designee; the secretary of the executive

office of public safety and security or a designee; the secretary of the executive office of technology services and security or a designee; the chief justice of the trial court or a designee; the chief counsel of the committee for public counsel services or a designee; the executive director of the American Civil Liberties Union of Massachusetts, Inc. or a designee; the executive director of Jane Doe, Inc.: The Massachusetts Coalition Against Sexual Assault and Domestic Violence or a designee; the executive director of MASOC, Inc. or a designee; the executive director of the Massachusetts Chiefs of Police Association Inc. or a designee; and a member of the Massachusetts District Attorneys' Association.

(c) The commission shall examine and investigate the potential impacts and legal implications of advanced technology and the internet on protecting individuals from harm, abuse and exploitation, including, but not limited to issues regarding: (i) the false impersonation of an individual by the use of an individual's name, likeness, photographs, and pretending to be the individual or by occupying their position, whether through in-person interactions or by internet or electronic based communications, without the express authorization of that person, and using such assumed character with intent to obtain a benefit, to injure or defraud another or to harass or embarrass the person being impersonated; (ii) the creation or distribution of a video of a person in which their face or body has been digitally altered such that they appear to be someone else with the intention of spreading malicious or false information; (iii) the exchange of written sexually obscene private conversations, content or screenshots between or among adults in which the corresponding individuals are identifiable; and (iv) the existence, status, or necessity of a reasonable expectation of privacy with regards to text messages sent to another person's cell phone.

(d) Not later than December 31, 2024, the commission shall file an interim report with the joint committee on judiciary, the joint committee on advanced information technology, the internet and cybersecurity, and the senate and house committees on ways and means. Not later than July 31, 2025, the commission shall file a final report of its findings and recommendations, together with drafts of legislation necessary to carry such recommendations into effect, by filing the same with the joint committee on judiciary, the joint committee on advanced information technology, the internet and cybersecurity, and the senate and house committees on ways and means."

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 6, by striking out, in lines 111 and 112, the words "posting, presenting, displaying, exhibiting, circulating, advertising or allowing" and inserting in place thereof the following words:- "post, present, display, exhibit, circulate, advertise or allow"; and

26

In section 7, by striking out, in line 160, the words "in violation of section 29B or 29C or uploads any" and inserting in place thereof the following words:- "any visual material in violation of section 29B or 29C or knowingly uploads any such".

The amendment was adopted.

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

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

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at twelve minutes before four o'clock P.M., on motion of Mr. Keenan, as follows, to wit (yeas 40 to nays 0) **[Yeas and Nays No. 117]:**

YEAS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Collins, Nick

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.

Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Durant, Peter J.
Edwards, Lydia
Eldridge, James B.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.

Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Oliveira, Jacob R.
Pacheco, Marc R.
Payano, Pavel M.
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 seven minutes before four o'clock P.M., the bill was passed to be engrossed, in concurrence with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2710]. Sent to the House for concurrence in the amendment.

The House Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4466),-- was read a second time.

Supplemental appropriations.

Ms. Creem in the Chair, after remarks, pending the question on adoption of the amendment previously recommended by the committee on Senate Ways and Means, striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2708, and pending the main question on ordering the bill to a third reading, Ms. Rausch, Ms. Edwards and Ms. Miranda moved that the proposed new text be amended by inserting, in line 53, after the word “pregnancy” the following words:- “or recent birth”.

1

After remarks, the amendment was adopted.

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

3

“SECTION __. State-funded emergency shelter sites, including overflow shelter sites, shall be located in: (1) geographically diverse areas; and (2) areas with diverse median incomes.”

The amendment was *rejected*.

Messrs. Moore and Oliveira, Ms. Rausch, Ms. Edwards and Messrs. Keenan and Feeney moved that the proposed new text be amended by inserting after section ___ the following section:-

4

“SECTION __. Notwithstanding section 14 of chapter 235 of the acts of 2014 or any other general or special law, regulation or rule to the contrary, every housing authority, as defined by section 1 of chapter 121B, shall utilize local wait lists for the selection of public housing tenants to fill vacancies within state-aided public housing subject to all other requirements and preferences applied as required by law.

This section shall remain in effect until the number of unoccupied state-aided public housing units, as of the effective date of this act, is reduced by 50%; provided that not less than 1,000 of said unoccupied state-aided public housing units shall be newly occupied

prior to the termination of this section.

Upon the termination of this section all housing authorities shall resume use the centralized wait list for selection of public housing tenants pursuant to section 14 of chapter 235 of the acts of 2014.”

The amendment was *rejected*.

Messrs. Moore, Keenan, Tarr, Montigny and Fattman and Ms. Edwards moved that the proposed new text be amended in section 11, by inserting after the word “services”, in line 174, the following words:- “; and (ix) reviewing safety practices and procedures at emergency shelters established under the emergency housing assistance program, including hotels and motels used for emergency shelter and overflow emergency shelter sites”.

5

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays at twenty-two minutes before six o'clock P.M., on motion of Mr. Moore, as follows, to wit (yeas 39 – nays 0) [**Yeas and Nays No. 118**]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Collins, Nick | Lovely, Joan B. |
| Comerford, Joanne M. | Mark, Paul W. |
| Creem, Cynthia Stone | Miranda, Liz |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| Durant, Peter J. | Oliveira, Jacob R. |
| Edwards, Lydia | Pacheco, Marc R. |
| Eldridge, James B. | Payano, Pavel M. |
| Fattman, Ryan C. | Rausch, Rebecca L. |
| Feeney, Paul R. | Rodrigues, Michael J. |
| Finegold, Barry R. | Rush, Michael F. |
| Friedman, Cindy F. | Tarr, Bruce E. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 39. |
| Keenan, John F. | |

NAYS – 0.

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

Messrs. Moore and Tarr moved that the proposed new text be amended by inserting after section __ the following section:-

6

“SECTION __. Section 30 of chapter 23B of the General Laws is hereby amended by inserting at the end thereof the following sentence:- At least one month prior to the opening of any overflow emergency shelter site, the director of the emergency shelter program, or his designee, shall hold at least one community meeting in the host community related to said emergency overflow shelter site, provided that notice for the meeting shall be posted on the website for the executive office of housing and livable communities and a copy of the notice shall be sent to the host community.”

After remarks, the amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended by inserting after section 8

8

the following section:-

“SECTION __. Item 8324-0050 of said section 2 of said chapter 28 is hereby amended by striking out the words ‘a self-contained breathing apparatus vehicle to ensure safety and efficiency in’ and inserting in place thereof the following words:- ‘equipment for’.”

After remarks, the amendment was adopted.

Recess.

There being no objection, at nine minutes before six o’clock P.M., the Chair (Ms. Creem) declared a recess subject to the call of the Chair; and, at two minutes before seven o’clock P.M., the Senate reassembled, Ms. Creem in the Chair.

Recess.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4466), -- was further considered, the main question being on ordering the bill to a third reading.

Supplemental appropriations.

Ms. Lovely and Messrs. Keenan, Feeney and Moore moved that the proposed new text be amended by inserting after section 5 the following sections:-

11

“SECTION 5A. Section 7A of chapter 167E of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word ‘person’, in line 14, the following words:- ‘, by synchronous real-time video conference or by telephone’.

SECTION 5B. Section 65C ½ of chapter 171 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘person’ in line 14, the following words:- ‘, by synchronous real-time video conference or by telephone’.”

The amendment was *rejected*.

Ms. Rausch, Messrs. Keenan, Oliveira, Eldridge, Moore and Tarr, Ms. Moran and Mr. Montigny moved that the proposed new text be amended by adding the following section:-

12

“SECTION 10A. The inspector general shall conduct a review and analysis of contracts, expenditures, and other materials or accountings pertaining to goods or services that have been or should have been provided pursuant to or in connection with the emergency housing assistance program, including but not limited to expenditures made for the purposes appropriated in item 7004-0101 of section 2 of chapter 28 of the acts of 2023 and item 1599-0514 of section 2A of chapter 77 of the acts of 2023. The executive office of housing and livable communities and the executive office of administration and finance, in collaboration with other state offices and agencies as applicable, shall provide unredacted copies of such contracts, receipts, and other materials and accountings to the inspector general. Not later than May 15, 2024, the inspector general shall submit to the clerks of the senate and house of representatives and the chairs of the senate and house ways and means committees a report summarizing the findings of said review and analysis, identifying any fraud, waste, or abuse discovered, and making recommendations for rectifying any such fraud, waste, or abuse, if any is discovered. The report may also include recommendations to avoid future fraud and abuse and reduce programmatic spending.”

After remarks, the amendment was *rejected*.

Ms. Edwards moved that the proposed new text be amended by striking lines 38 through 62 of section 3, and inserting in its place the following words:-

16

“(G) All adults with or without children and pregnant women shall complete a rehousing program subject to the following guidelines subject to appropriation:

- (i) upon arrival and procurement of a sanitary and safe shelter, shall have 3 months

to apply for a work permit;

(ii) may stay sheltered until the United States Citizenship and Immigration Services grants a work permit and or until the adult is accepted into a work program or an English as a Second Language Program;

(iii) upon receipt of a work permit, shall have 9 months to obtain employment; shall qualify for RAFT; and shall qualify for the Homeless Childcare Voucher Program or other assistance for childcare;

(iv) failure to apply for a work permit within 3 months will disqualify persons from the rehousing program unless proven illness; pregnancy or postpartum; disability; or age related restrictions;

(v) the rehousing program may be extended beyond the 9 months in subsection (iii) of this paragraph if:

(a) a family or pregnant woman qualifying as a veteran under clause forty-third of section 7 of chapter 4 who is not enrolled in services specifically tailored to veterans including, but not limited to, those administered by the executive office of veterans services;

(b) a family or pregnant woman's imminent placement in housing;

(c) avoiding educational interruptions for a child or children enrolled in public schools;

(d) avoiding loss of employment for adult family members;

(e) pregnancy;

(f) a diagnosed disability or documented medical condition;

(g) being a single parent, stepparent, legal guardian or caretaker caring for a disabled child or family member;

(h) being a single parent, stepparent, legal guardian or caretaker with insufficient child or dependent care necessary to obtain employment or continue employment;

(i) being at imminent risk of harm due to domestic violence; or

(j) progress toward receiving work authorization; The executive".

The amendment was *rejected*.

Messrs. Tarr, O'Connor and Moore moved that the proposed new text be amended by inserting after section _ the following section:- 22

"SECTION. Chapter 77 of the acts of 2023 is hereby amended in line item 4003-0123 by inserting after the words, 'shall submit monthly reports to the house and senate committees on ways and means' the following:-'and the clerks of the house and senate'."

The amendment was *rejected*.

Messrs. Feeney, Keenan, O'Connor, Moore and Timilty moved that the bill be amended by inserting after section ___ the following sections:- 26

"SECTION __. Section 7A of chapter 167E of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word 'person', in line 14, the following words:- ' , by synchronous real-time video conference or by telephone'.

SECTION __. Section 65C½ of chapter 171 of the General Laws, as so appearing, is hereby amended by inserting after the word 'person', in line 14, the following words:-, 'by synchronous real-time video conference or by telephone'."

The amendment was *rejected*.

Ms. Edwards and Ms. Miranda moved that the proposed new text be amended by inserting the following section:- 29

"SECTION XX. Chapter 15D of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by adding the following section:-

Section 19. (a) A family placed in emergency assistance shelter, in accordance with Section 30 of Chapter 23B, shall be eligible for the department of early education and

care's homeless child care assistance vouchers when the family first arrives at the shelter and at any time the family chooses while residing in the shelter regardless of whether they meet work requirements as determined by the department of transitional assistance.

(b) A family who meets the definition of homeless as defined in the McKinney-Vento Homelessness Assistance Act shall be eligible for the department of early education and care's homeless child care assistance vouchers. {regardless of whether they meet work requirements as determined by the Department of Transitional Assistance}

(c) A letter verifying shelter residency will qualify a family for a full-time childcare referral from the department of transitional assistance.

(d) Upon (i) a family's entry to a temporary emergency assistance shelter, domestic violence shelter, substance abuse and recovery shelter or non-emergency assistance shelter; or (ii) upon family's receipt of a letter from the Department of Early Education and Care or its designees, verifying that a family meets the definition of homeless as defined in McKinney-Vento Homelessness Assistance Act, any of the family's children ages zero to three years shall be considered as qualifying for early intervention services according to the Department of Public Health's operational standards. This qualification shall ensure eligibility for services regardless of the presence or absence of other relevant risk factors, and qualification shall begin from the date of their entry into shelter or receipt of McKinney-Vento verification letter and continue for one year after their exit from shelter or receipt of McKinney-Vento verification letter or until the day before the child's third birthday, whichever occurs first."

The amendment was *rejected*.

Mr. Collins moved that the proposed new text be amended by inserting after section 12 the following section:-

41

"SECTION XX. "Notwithstanding any general or special law to the contrary, a person shall not be eligible for emergency housing assistance under chapter 23B of the General Laws and other services subsidized by the Commonwealth for qualifying individuals until a Massachusetts resident has submitted an application for their sponsorship or the person has submitted the proper paperwork under the Temporary Protected Status (TPS) order to the US Department of Homeland Security."

The amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended by striking section 3 in its entirety and inserting in place thereof the following:-

43

"SECTION 3. Section 30 of chapter 23B of the General Laws, as amended by sections 120 and 121 of chapter 7 of the acts of 2023, is hereby further amended by inserting after subsection (F) the following subsection:-

(G) The executive office shall complete a rehousing plan for all families and pregnant women receiving benefits through the emergency housing assistance program. A family with children or a pregnant woman with no other children that receives benefits through the emergency housing assistance program shall, subject to appropriation and compliance with program rules and regulations, remain eligible for benefits through the program for not less than 6 consecutive months; provided, however, that after a family with children or a pregnant woman with no other children who receives benefits through the emergency housing assistance program has received benefits through the program for 6 months, the executive office shall review the recipient's eligibility status for extended eligibility for the program. The executive office shall grant 1 extension, for not longer than 90-days, for circumstances limited to: (i)(A) a family or pregnant woman qualifying as a veteran under clause forty-third of section 7 of chapter 4 who is not enrolled in services specifically tailored to veterans including, but not limited to, those administered by the executive office of veterans services; (B) a family or pregnant woman's imminent placement in housing; (C) avoiding loss of employment for adult family members; (D) pregnancy; (E) a

diagnosed disability; (F) being a single parent, stepparent, legal guardian or caretaker caring for a disabled child or family member; (G) being at imminent risk of harm due to domestic violence; or (ii) a family or pregnant woman’s compliance with the rehousing plan. The executive office shall provide not less than 60 days’ notice to a family or pregnant woman receiving benefits pursuant to this section prior to the termination of benefits. The executive office shall provide printed handouts to families with children and pregnant women receiving benefits through the emergency housing assistance program which shall include, but not be limited to, information about: (i) the duration of stay limit and extension process; (ii) workforce training programs; (iii) food resources, including food pantries; (iv) services offered by resettlement agencies; (v) other housing assistance programs; and (vi) other nonprofit or available resources the executive office deems necessary or helpful. All written information shall be translated into multiple languages and shall be available on the executive office’s website.”

The amendment was *rejected*.

Mr. Collins moved that the proposed new text be amended by inserting after section 12 the following section:- 45

“SECTION XX. Notwithstanding any general or special laws to the contrary, funding previously provided for the creation and servicing of temporary overflow shelters shall be used to provide financial assistance to support sponsoring residents and businesses who sponsored, hosted or provided financial assistance to migrants during the period of the state of emergency declared by the governor on August 8, 2023.”

The amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended by adding the following section:- 47

“SECTION XX. Notwithstanding any general or special law to the contrary, the emergency housing assistance program established in section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, shall be temporarily suspended for a period of one year, effective April 1, 2024. This suspension shall not apply to a victim of domestic violence or a person whose living situation has been affected by a fire or other natural disaster that occurred in Massachusetts and shall not apply to anyone receiving emergency housing assistance prior to April 1, 2024.”

The amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended by adding the following section:- 51

“SECTION XX. Section 2 of chapter 77 of the acts of 2023, in line item 1599-0514, is hereby amended, after the word ‘2025’, by adding the following:- ‘; (ix) number of single men in the shelter program; (x) number of single women in the shelter program; (xi) ages of those in the shelter system; and (xii) the nation of origin of migrants in the shelter program’.”

The amendment was *rejected*.

Mr. Fattman moved that the proposed new text be amended by inserting after section X the following section:- 52

“SECTION X. Notwithstanding any general or special law to the contrary, any persons, including persons residing under color of law and humanitarian paroles, who do not meet the requirements related to immigration status under chapter 18 of the General Laws, the federal Food and Nutrition Act of 2008, 7 U.S.C. § 2011 et seq., or regulations issued pursuant to the federal Food and Nutrition Act of 2008, shall not be eligible for Supplemental Nutrition Assistance Program benefits.”

The amendment was *rejected*.

Mr. Fattman moved that the proposed new text be amended by inserting after section ___ the following section:- 53

“SECTION X. Notwithstanding any general or special law to the contrary, any persons, including persons residing under color of law and humanitarian paroles, who do not meet the requirements related to immigration status under chapter 18 of the General Laws, the federal Food and Nutrition Act of 2008, 7 U.S.C. § 2011 et seq., or regulations issued pursuant to the federal Food and Nutrition Act of 2008, shall not be eligible for Supplemental Nutrition Assistance Program benefits for more than ten weeks.”

The amendment was *rejected*.

Ms. Kennedy, Ms. Comerford, Mr. Oliveira, Ms. Jehlen, Messrs. Eldridge, Gomez and Brady and Ms. Miranda moved that the proposed new text be amended in section 3 by striking out subsection (G) and inserting in place thereof the following subsection:-

55

“(G) The executive office shall complete an individual rehousing plan for all families and pregnant women receiving benefits through the emergency assistance program. A family with children or a pregnant woman with no other children that receives benefits through the emergency assistance program shall remain eligible for benefits provided, however, that executive office shall annually review continued eligibility for the program, subject to appropriation, based on each family with children or pregnant woman’s compliance with program rules and regulations, progress towards their re-housing plans, or for circumstances including, but not limited to: (i)(A) a family or pregnant woman qualifying as a veteran under clause forty-third of section 7 of chapter 4 who is not enrolled in services specifically tailored to veterans including, but not limited to, those administered by the executive office of veterans services; (B) a family or pregnant woman’s imminent placement in housing; (C) avoiding educational interruptions for a child or children enrolled in public schools; (D) avoiding disruption or loss of employment for adult family members; (E) pregnancy; (F) a diagnosed disability or documented medical condition; (G) being a single parent, stepparent, legal guardian or caretaker caring for a disabled child or family member; (H) being a single parent, stepparent, legal guardian or caretaker with insufficient child or dependent care necessary to obtain employment or continue employment; (I) being at imminent risk of harm due to domestic violence; (J) progress toward receiving work authorization; or (K) imminent threat of homelessness; or (ii) a family or pregnant woman’s compliance with the rehousing plan. The executive office shall provide not less than 90 days’ notice to a family or pregnant woman receiving benefits pursuant to this section prior to the review of eligibility or termination of benefits. The executive office shall provide printed handouts to families with children and pregnant women receiving benefits through the emergency housing program which shall include, but not be limited to, information about: (i) the annual review process; (ii) workforce training programs; (iii) food resources, including food pantries; (iv) services offered by resettlement agencies; (v) other housing assistance programs; and (vi) other nonprofit or available resources the executive office deems necessary or helpful. All written information shall be translated into multiple languages and shall be available on the executive office’s website. This subsection shall apply during any period in which the secretary of housing and livable communities has determined that the shelter system is no longer able to meet all current and projected demand for shelter from eligible families considering the facts and circumstances then existing in the commonwealth.” ; and

By striking out section 10.

The amendment was *rejected*.

Messrs. Timilty, Tarr and Moore moved that the proposed new text be amended by adding the following section:-

57

“SECTION XX. Section 3A of Chapter 337 of the acts of 2018 as so appearing in the 2022 Official Edition, is hereby amended by striking out the words ‘The commissioner shall make available to a city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal year in the city or town requesting the

information.’ and inserting in place thereof the following text:- ‘The commissioner shall make available to a city or town requesting such information the total amount of room occupancy tax collected in the preceding fiscal quarter in the city or town requesting the information.’.”

The amendment was *rejected*.

Messrs. Timilty and Tarr moved that the proposed new text be amended by inserting in section 17 in line 228 after the word “purpose” the following text:- “; and (xii) the total dollar amount of room occupancy taxes not collected due to the use or possession or the right to the use or possession of a room in a bed and breakfast establishment, hotel, lodging house or motel designed and normally used for sleeping and living purposes for a period greater than 90 consecutive calendar days in a city or town that has accepted the provisions of Chapter 337 of the Acts of 2018.”

61

The amendment was *rejected*.

Suspension of Senate Rule 38A.

Mr. Rodrigues moved that Senate Rule 38A be suspended to allow the Senate to meet beyond the hour of 8:00 P.M. The same Senator requested that the question on suspension of the rule be determined by a standing vote, and it was suspended by a vote of 7 to 3.

Senate Rule 38A.

Order of the Day.

The Orders of the Day were further considered as follows:

The House Bill making appropriations for the fiscal year 2024 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4466), -- was further considered, the main question being on ordering the bill to a third reading.

Supplemental appropriations.

Ms. Kennedy, Ms. Comerford, Mr. Oliveira and Ms. Jehlen moved that the proposed new text be amended in section 2A, by inserting after the word “services”, in line 26, the following words:- “focused on equitable regional programs”;

56

In said section 2A, by striking out, in lines 25 through 33, inclusive, the words “provided, that funds shall be expended for housing intervention services and workforce supports including, but not limited to, (i) financial and administrative assistance in applying for work authorization upon application for benefits through the emergency housing assistance program ; (ii) English language instruction to non-English speaking or limited English speaking families or pregnant women receiving benefits through the emergency housing assistance program; (iii) job-related skills training; and (iv) employment training, including programs offered by local workforce development boards and career centers; and provided further, that not less than \$2,000,000 shall be expended for resettlement agencies” and inserting in place thereof the following words:- “provided that \$7,000,000 shall be expended to the resettlement agencies and providers with contracts through the emergency housing assistance program to support regional, flexible funds to preserve tenancies and rapidly house families through supports including but not limited to (i) housing intervention services; (ii) financial and administrative assistance in applying for federal work authorization upon application for benefits through the emergency housing assistance program; and (iii) English language instruction to non-English speaking or limited English speaking families or pregnant women receiving benefits through the emergency housing assistance program; provided further, that said funds shall be distributed in a manner that shall consider geographic equity; provided further that not less than \$3,000,000 shall be expended for employment training programs, including programs offered by local workforce development boards and career centers; and provided further that funds appropriated in this item shall be distributed not later than the 30 days after the

effective date of this act”;

In section 3, by striking out, in line 38, the word “a”, and inserting in place thereof the following words:- “an individual”;

In section 11, by striking out, in line 148, the word “the” and inserting in place thereof the following words:- “a member of the executive branch to be appointed by the governor, who is leading efforts to respond to the humanitarian crisis in the shelter system, who shall serve as chair”;

In said section 11, by striking out, in line 149, the words “, who shall serve as chair”;

In said section 11, by striking out, in line 156, the words “study shall include” and inserting in place thereof the following words:- “commission shall consider the work and research of past commissions and further investigate, evaluate and make recommendations on items including”; and

In said section 11, by inserting after the word “services”, in line 174, the following words:- “; (ix) identifying critical prevention strategies and necessary resources and structures to prevent homelessness among the emergency housing assistance program benefit recipients; and (x) identifying any necessary support systems to assist recipients of emergency housing assistance program benefits in making successful transitions to permanent housing within a specified timeframe”.

After debate, the amendment was adopted.

Messrs. Tarr, Keenan, O’Connor and Moore, Ms. Moran and Mr. Montigny moved that the proposed new text be amended by inserting at the end the following section:-

14

“SECTION ___. Notwithstanding any general or special law to the contrary, any funds expended for the purpose of providing food through the emergency housing assistance program shall be subject to a competitive bidding process.”

After remarks, the amendment was *rejected*.

Messrs. Tarr and O’Connor moved that the proposed new text be amended by inserting at the end the following section:-

15

“SECTION ___. The first paragraph of section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, is hereby further amended by adding the following sentence:-

‘Notwithstanding any general or special law, rule or regulation to the contrary, the emergency housing assistance program established herein shall be available only to residents of the commonwealth who have resided within the commonwealth for no less than six months, provided however that this provision shall not apply to a victim of domestic violence or a person whose living situation has been affected by a fire or other natural disaster that occurred in Massachusetts.’

The department shall require applicants to provide proof of residency for a period of no less than six months. The department may require applicants to submit documentation including, but not limited to, federal and state-issued identification documents, mail, financial statements, and bills to meet the requirements of this section.

This section shall apply to applications submitted for the emergency housing assistance program on or after the effective date of this act.”

After remarks, the amendment was *rejected*.

Messrs. Tarr and O’Connor moved that the proposed new text be amended by striking in line 191-192 the words, “Such expenditures shall not be subject to appropriation,” and inserting in place thereof the following:- “Such expenditures shall be subject to appropriation”;

17

By striking in line 198-199 the words, “Such expenditures shall not be subject to appropriation,” and inserting in place thereof the following:- “Such expenditures shall be subject to appropriation”;

By striking in line 205-206 the words, “Such expenditures shall not be subject to

appropriation,” and inserting in place thereof the following:- “Such expenditures shall be subject to appropriation”; and

By striking in line 212-213 the words, “Such expenditures shall not be subject to appropriation,” and inserting in place thereof the following:- “Such expenditures shall be subject to appropriation”.

After remarks, the question on adoption of the amendment was determined by a standing vote, on motion of Mr. Tarr, and it was rejected by a vote of 3 to 11.

Messrs. Tarr, O’Connor and Fattman moved that the proposed new text be amended by inserting line 33 after the word, “agencies” the following:- “provided that resettlement agencies shall consult on a monthly basis with the executive office of housing and livable communities to ascertain the projected availability of the commonwealth's shelter system and resettlement agencies shall not undertake resettlement activity when it is foreseeable that the shelter system will exceed capacity”.

28

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays at half past eight o’clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 8 – nays 31) [**Yeas and Nays No. 119**]:

YEAS.

Collins, Nick
Durant, Peter J.
Fattman, Ryan C.
Moore, Michael O.

O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F. – **8.**

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.

Keenan, John F.
Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moran, Susan L.
Oliveira, Jacob R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Velis, John C. – **31.**

The yeas and nays having been completed at twenty-one minutes before nine o’clock P.M., the amendment was *rejected*.

Messrs. Tarr, O’Connor and Montigny moved that the proposed new text be amended in section 2A, in line-item 1599-1213 by inserting after the word “agencies”, in line 33, the following:- “, provided however that under no circumstances may these funds be expended on efforts by said agencies in attracting or facilitating the transport of new migrants, refugees or asylum seekers to Massachusetts that exceed the current and projected capacity of the emergency assistance housing program”.

30

The amendment was *rejected*.

Messrs. Tarr and O’Connor moved that the proposed new text be amended by adding the following section:-

35

“SECTION __. Notwithstanding any general or special law to the contrary, the emergency housing assistance program established in section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, shall be temporarily suspended for a period of one year, effective April 1, 2024. This suspension shall not apply to a victim of domestic violence or a person whose living situation has been affected by a fire or other natural disaster that occurred in Massachusetts and shall not apply to anyone receiving emergency housing assistance prior to April 1, 2024.”

The amendment was *rejected*.

Messrs. Tarr and O’Connor moved that the proposed new text be amended by inserting after section _ the following section:-

36

“SECTION_. The secretary of housing and livable communities shall submit to the house and senate committees on ways and means, the clerks of the house and senate and governing entity of each community not less than every 30 days a report with data for each state-funded overflow emergency shelter site and, to the extent feasible, each non-state-funded overflow emergency shelter site, including the following information: (i) types of services provided to families, including a breakdown of the types of services and hours of availability of services; (ii) total number of families; (iii) number of families new to the overflow emergency shelter site since the last report; (iv) total number of individuals; (v) number of individuals new to the overflow emergency shelter site since the last report; (vi) average length of stay, in days, for individuals in an overflow emergency shelter site, including a breakdown of data on: (A) the family with the longest length of stay; (B) families that have been placed in the emergency shelter assistance program from a state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site; and (C) families that are no longer in the state-funded overflow emergency shelter site or non-state-funded overflow emergency shelter site but have not been placed in the emergency assistance program; (vii) a procurement record for state-funded overflow sites for supplies and services necessary to provide resources and necessities of daily living to families; and (viii) efforts made to connect families with additional services or programs, including, but not limited to, resettlement agencies, HomeBase or other housing programs.”

The amendment was *rejected*.

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

37

“SECTION X. The first paragraph of section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, is hereby further amended by adding the following sentence:- Notwithstanding any general or special law, rule or regulation to the contrary, the emergency housing assistance program established herein shall be available only to residents of the commonwealth who have resided within the commonwealth for no less than six months, provided however that this provision shall not apply to a victim of domestic violence or a person whose living situation has been affected by a fire or other natural disaster that occurred in Massachusetts.

The department shall require applicants to provide proof of residency for a period of no less than six months. The department may require applicants to submit documentation including, but not limited to, federal and state-issued identification documents, mail, financial statements, and bills to meet the requirements of this section.

This section shall apply to applications submitted for the emergency housing assistance program on or after the effective date of this act.”

The amendment was *rejected*.

Messrs. Tarr and O’Connor moved that the proposed new text be amended by inserting in line 228 after the word, “purpose” the following:- “(xii) any actions taken pursuant to subsection (C) of section 30 of chapter 23B”.

38

After remarks, the amendment was *rejected*.

Messrs. Tarr, O'Connor and Moore moved that the proposed new text be amended adding the following section:- 39

“SECTION __. Notwithstanding any general or special law to the contrary, the emergency housing assistance program established in section 30 of chapter 23B of the General Laws, as amended by section 120 of chapter 7 of the acts of 2023, shall be temporarily suspended until such time as the number of families accessing the emergency assistance family shelter program falls below 7,500. Any such suspension shall not apply to a victim of domestic violence or a person whose living situation has been affected by a fire or other natural disaster that occurred in Massachusetts and shall not apply to anyone receiving emergency housing assistance prior to April 1, 2024. A 30-day notice shall be provided by the secretary of housing and livable communities prior to the implementation of any temporary suspension of this program.”

After remarks, the amendment was *rejected*.

Mr. Durant moved that the proposed new text be amended in section 11, in line 152, by inserting after the word “disabilities” the following words:- “; an appointee by the minority leader of the house; an appointee by the minority leader of senate”. 44

The amendment was *rejected*.

Messrs. Tarr and O'Connor moved that the proposed new text be amended by inserting in line 46 after the word “program” the following:- “; provided, that the department shall promulgate regulations which shall prioritize eligibility according to the duration of residence in the commonwealth and the factors enumerated as (A) through (H) herein”. 49

Ms. Friedman in the Chair, after debate, the question on adoption of the amendment was determined by a call of the yeas and nays at fourteen minutes before nine o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 12 – nays 27) **[Yeas and Nays No. 120]:**

YEAS.

Collins, Nick
Cronin, John J.
Durant, Peter J.
Fattman, Ryan C.
Finegold, Barry R.
Montigny, Mark C.

Moore, Michael O.
O'Connor, Patrick M.
Pacheco, Marc R.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **12.**

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cyr, Julian
DiDomenico, Sal N.
Edwards, Lydia
Eldridge, James B.
Feeney, Paul R.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.

Keenan, John F.
Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Moran, Susan L.
Oliveira, Jacob R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F. – **27.**

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

50

Messrs. Tarr, O'Connor and Moore moved that the proposed new text be amended in line 46 by inserting after the word "program" the following:- "; provided further, that no individual convicted or charged with a violent felony pursuant to chapter 265 of the general laws while receiving benefits pursuant to this chapter shall be eligible to continue to receive such benefits absent a written waiver issued by the emergency assistance director".

After remarks, the amendment was *rejected*.

54

Messrs. Tarr, O'Connor and Moore moved that the proposed new text be amended by inserting at the end the following:-

"SECTION __. Subject to appropriation, expenditures made pursuant to chapter 77 of the acts of 2023 and this act shall be subject to an audit by the auditor of the commonwealth not less than quarterly nor more than bi-annually, provided that the results of said audit shall be filed with the House and Senate Committees on Ways and Means, and the clerks of the House and Senate."

After remarks, the amendment was *rejected*.

58

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

1599-2303 For a reserve to provide extraordinary relief and support mitigation costs associated with storms and natural disasters that impacted municipalities throughout the commonwealth in 2023; provided, that funds in this item shall provide direct assistance and relief to impacted municipalities with costs related to damage caused by said storms and natural disasters; provided further, that municipalities may expend funds received under this item, in coordination with local emergency relief organizations, to assist populations affected by said storms and natural disasters; provided further, that efforts shall be made to maximize available federal reimbursement for the purposes of this item; provided further, that funds in this item shall be administered by the executive office for administration and finance; and provided further, that not less than 15 days in advance of distribution, the secretary of administration and finance shall file a distribution plan along with a detailed description of the qualifying expenses for which municipalities will be reimbursed with the house and senate committees on ways and means.....\$20,000,000.

After remarks, the amendment was *rejected*.

65

Messrs. Tarr, O'Connor, Moore and Montigny moved that the proposed new text be amended by inserting in line 215 after the word "means," the following:- "and transmitted to the members of the commonwealth's federal legislative delegation and the federal Office of Management and Budget".

After remarks, the amendment was *rejected*.

66

Messrs. Tarr, O'Connor and Montigny moved that the proposed new text be amended by inserting after section _ the following section:-

"SECTION_. Chapter 77 of the acts of 2023 is here hereby amended in item 4003-0123 by inserting after the word funds the following:- 'Provided that no agency receiving funds from this item shall facilitate the entry into the commonwealth of a number of persons needing emergency housing assistance in excess of the capacity of the emergency hoisin assistance program, as determined by the Executive Office of Housing and Livable Communities'."

The amendment was *rejected*.

18

Messrs. Tarr, O'Connor, Durant and Fattman moved that the proposed new text be amended in section 11, by inserting after the word "disabilities", in line 152, the following words:- "; a member appointed by the minority leader of the house; a member appointed

by the minority leader of senate”; and

In section 17, by inserting after the word “purpose”, in line 228, the following words:-
“; (xii) to the extent feasible the country of origin and citizenship status of all individuals and families who are receiving assistance under the emergency housing assistance program at the time of the report; (xiii) the number of individuals receiving assistance under the emergency housing assistance program that have obtained or have applied to obtain federal work authorization in compliance with all applicable state and federal laws; (xiv) the number of new student enrollments related to the emergency housing assistance program; and (xv) any and all efforts undertaken by the administration to secure and maximize federal support and reimbursement for funds spent on the emergency housing assistance program”.

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 9, by striking out, in line 131, the word “effective” and inserting in place thereof the following words:-
“which shall occur not later than”.

13

The amendment was adopted.

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

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

The question on passing the bill to be engrossed was determined by a call of the yeas and nays, at two minutes past nine o’clock P.M., on motion of Mr. Rodrigues, as follows, to wit (yeas 32 to nays 8) **[Yeas and Nays No. 121]:**

YEAS.

- | | |
|--------------------------|-------------------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |
| Brownsberger, William N. | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Mark, Paul W. |
| Crighton, Brendan P. | Miranda, Liz |
| Cyr, Julian | Montigny, Mark C. |
| DiDomenico, Sal N. | Moore, Michael O. |
| Edwards, Lydia | Moran, Susan L. |
| Eldridge, James B. | Oliveira, Jacob R. |
| Feeney, Paul R. | Pacheco, Marc R. |
| Finegold, Barry R. | Payano, Pavel M. |
| Friedman, Cindy F. | Rausch, Rebecca L. |
| Gomez, Adam | Rodrigues, Michael J. |
| Jehlen, Patricia D. | Rush, Michael F. |
| Keenan, John F. | Spilka, Karen E. – 32. |

NAYS.

- | | |
|------------------|----------------------------|
| Collins, Nick | O’Connor, Patrick M. |
| Cronin, John J. | Tarr, Bruce E. |
| Durant, Peter J. | Timilty, Walter F. |
| Fattman, Ryan C. | Velis, John C. – 8. |

The yeas and nays having been completed at eight minutes past nine o’clock P.M., the bill was passed to be engrossed, in concurrence with the amendment [For text of Senate amendment, printed as amended, see Senate, No. 2711].

Sent to the House for concurrence in the amendment.

Order Adopted.

UNCORRECTED PROOF.

On motion of Mr. Lewis:--

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 the same Senator, at ten minutes past nine o'clock P.M., the Senate adjourned to meet again on Monday next at eleven o'clock A.M.