

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



TUESDAY, JULY 30, 2024

[67]

JOURNAL OF THE SENATE

Tuesday, July 30, 2024.

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

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

Pledge of
allegiance.

Distinguished Guest.

There being no objection, during consideration of the Orders of the Day, the Chair (Mr. Brownsberger) handed the gavel to Mr. Tarr for the purpose of an introduction. Mr. Tarr then introduced, in the rear of the Chamber, The Honorable Bernadette Jordan, Consul General of Canada in Boston. Consul General Jordan was recognized for having run for and won the federal riding of South Shore-St. Margarets by the largest margin ever in the riding and became the first woman to hold the seat. She was appointed as parliamentary secretary to the minister of democratic institutions and became the first minister of rural economic development and the minister of fisheries, oceans and the Canadian Coast Guard. This made Bernadette the first woman elected in Nova Scotia to hold a seat at the Cabinet table. The Senate applauded her accomplishments, she was presented with a Senate Resolutions on the Rostrum, signed the guest book and withdrew from the Chamber.

Consul General
Bernadette Jordan.

Communication.

Communication from the Executive Office for Administration and Finance (under the provisions of item 1599-0514 of Chapter 77 of the Acts of 2023) submitting a copy of its bi-weekly report on the status of the Emergency Housing Assistance Program dated July 25, 2024 (received July 29, 2024),-- **was placed on file.**

Emergency Housing
Assistance
Program,-- bi-
weekly report.
SD3359

Reports.

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

Report of the Executive Office for Administration and Finance (pursuant to item 4003-0123 of chapter 77 of the Acts of 2023) submitting its Resettlement Agency Report for the month of May 2024 (received July 29, 2024); and

A&F,-- May
Resettlement report.
SD3357

Report of the Massachusetts Sheriffs' Association (pursuant to Section 6A of Chapter 124 of the General Laws) submitting its Operational Capacity Report summary January 1, 2024 - June 30, 2024 (received July 29, 2024).

MSA,-- Operational
Capacity report.
SD3358

Petition.

Mr. Finegold presented a petition (accompanied by bill, Senate, No. 2924) of Barry R. Finegold (with approval of the mayor and city council) for legislation to exempt the position of Deputy Police Chief in the city of Amesbury from the civil service law [Local approval received];

Amesbury,--
Deputy Police
Chief.

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

Order.

Mr. Eldridge presented an Order relative to granting the committee on the Judiciary until December 31, 2024 within which time to make its final report on a current Senate document, numbered 2835 relative to adoptions (Senate, No. 2925);

Judiciary,--
extension.

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

Reports of Committees.

By Mr. Eldridge, for the committee on the Judiciary, on Senate, Nos. 906, 938, 942, 973, 977, 1009, 1036, 1040, 1050, 1053, 1104, 1114 and 2809, an Order relative to authorizing the joint committee on the Judiciary to make an investigation and study of certain current Senate documents to relative to judicial matters (Senate, No. 2926);

Judiciary,-- study.

By Ms. Moran, for the committee on Revenue, on Senate, Nos. 1811, 1813, 1930, 1960, 2419 and 2466 an Order relative to authorizing the joint committee on Revenue to make an investigation and study of certain current Senate documents relative to veterans exemptions and real estate transfer fees (Senate, No. 2930) [Senator Fattman and Representative Uytterhoeven of Sommerville dissenting]; and

Revenue,-- study.

By Mr. Brady for the committee on Public Service, on Senate, Nos. 1621, 1629, 1638, 1650, 1658, 1659, 1683, 1712, 1713, 1729, 1732, 1739, 1742, and 1747, an Order relative to authorizing the joint committee on Public Service to make an investigation and study of certain current Senate documents relative to public service matters (Senate, No. 2931);

Public Service,--
study.

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

By Ms. Rausch, for the committee on Environment and Natural Resources, on petition, a Bill relative to the Historic Connecticut River Water Trail (Senate, No. 2910);

Connecticut River
Water Trail.

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

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4931) of Manny Cruz and Joan B. Lovely (with the approval of the mayor and city council) that the city of Salem be authorized to convert one annual license for the sale of wine and malt beverages to be drunk on the premises to an annual license for the sale of all alcoholic beverages to be drunk on the premises in said city;

Salem,-- liquor
license.

To the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4932) of Christopher J. Worrell (with the approval of the mayor and city council) that the city of Boston be authorized to appoint Elsie Barbosa a police officer notwithstanding the maximum age requirement;

Boston,-- Elsie
Barbosa
employment.

To the committee on Public Service.

A Bill authorizing the town of Williamsburg to continue employment of Glen Everett beyond the age of 65 (House, No. 4769,-- on petition) [Local approval received],-- **was read and, under Senate Rule 26, placed in the Orders of the Day for the next session.**

Williamsburg,--
Glen Everett
employment.

Resolutions.

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

Resolutions (filed by Messrs. Gomez, Oliveira, Velis, DiDomenico, Finegold, Eldridge, Montigny, Pacheco, Keenan and Mark) "congratulating Springfield Partners for

Springfield Partners
for Community

Community Action, Inc. on its sixtieth anniversary.”

Action, Inc.

Orders of the Day.

The Orders of the Day were considered as follows:

Bill increasing the maximum amount of fines which may be imposed for violations of ordinances in the city of Boston (House, No. 4507),-- **was read a second time and ordered to a third reading.**

Second reading bill.

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

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill establishing a sick leave bank for Alicia Orlow, an employee of the Department of Correction (see House, No. 4749), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 4 to 0.

Alicia Orlow,-- sick leave.

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

An engrossed Bill establishing a sick leave bank for Gabriella Ruocco, an employee of the department of state police (see House, No. 4755), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 5 to 0.

Gabriella Ruocco,-- sick leave.

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

Engrossed Bills.

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

Establishing a sick leave bank for Alicia Orlow, an employee of the Department of Correction (see House, No. 4749); and

Bills laid before the Governor.

Establishing a sick leave bank for Gabriella Ruocco, an employee of the department of state police Chicopee (see House, No. 4755).

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill to ensure legal parentage equality (House, No. 4750),-- was considered, the main question being on ordering the bill to a third reading.

Parentage equality.

Remarks of Senator James B. Eldridge.

Remarks of Senator
Eldridge.

Mr. President, and through you to the members, I rise in strong support of the Parentage Act.

I would like to thank the Senate President and the Chair of Ways Means, the gentleman from Westport, for bringing this bill to the floor. I am grateful to the gentleman from Truro and the gentleman from Gloucester for leading the charge on this bill. I am appreciative of the gentleman from Belmont for his support of the bill as well. Finally, I am grateful for my positive working relationship with Judiciary Committee House Chair Michael Day.

The Senate bill is largely unchanged from the consensus bill that the Judiciary Committee reported favorably to the House.

This bill rewrites significant parts of our family law. It is particularly important to the LGBTQ community. I think back to other pieces of legislation we've passed in the Senate to protect that community, like in 1992 allowing same-sex parents to adopt children. In 2003 through 2006, when we successfully defeated a Constitutional amendment that would have prohibited same-sex marriage. And this bill I would argue is of the same gravity and seriousness.

The Massachusetts Parentage Act is a reflection on how the makeup of families have changed, especially over the past three decades, and state law, and our family courts, needs to catch up to not only this new reality, but the new ways that families are formed. Many elected officials talk about the need to make the Commonwealth of Massachusetts more welcoming - the Parentage Act actually accomplishes this, which makes the state stronger as a whole, including for LGBTQ families.

The Parentage Act compliments successful legislative and judicial actions over the past three decades to better protect LGBTQ families and individuals. Notable is the legislation in the early 1990s to allow same-sex couples to adopt children, the five-year effort to protect marriage equality, and legislation to protect transgender persons. I am very proud to have played an active role in many of these pieces of legislation during my legislative career, and I'm equally proud to have been deeply engaged in the redrafting of the Parentage Act.

The bill ensures equality in parentage for all children. You can conceive of this bill as creating paths to form families. That's what the bill is about.

The first path to parentage I want to discuss is voluntary acknowledgment of parentage. After a baby is born, the non-birth parent and the birth parent may sign a form agreeing that the non-birth parent is a legal parent.

The Voluntary Acknowledgment of Parentage Form is a weighty one. It establishes legal parentage for all purposes. It is the equivalent of a court judgment of parentage.

A validly executed Voluntary Acknowledgement of Parentage form receives full faith and credit in all states. Full faith and credit means that every state must recognize the legal parent-child relationship the form establishes.

Universal recognition should protect Massachusetts families if and when they travel to states that are hostile to LGBTQ+ people. That form exists today and can be signed at the hospital upon the child's birth, at a city or town clerk office, or at the registry of vital records.

This bill will make important changes to the form. The current form is difficult to understand, especially for English language learners or those who struggle with literacy skills.

The department of public health has explained that the language reflects the muddled state of our parentage laws.

Compare Rhode Island. Rhode Island passed a comprehensive Parentage Act in 2020. The Rhode Island voluntary acknowledgment of parentage form uses simple language. It requires the signers to affirm that "[w]e agree that we are both parents of the child who is

named in the above certification.” It next requires the parents to request that their names appear on the birth certificate. Finally, it requires that the signers affirm that they read the relevant notice.

The goal of the Massachusetts Parentage Act is to ensure that more children can be protected with a Voluntary Acknowledgement of Parentage form at the time of birth, without delay.

Critically, the Parentage Act expands access to the Voluntary Acknowledgment of Parentage Form to parents who are married and to parents who have children through assisted reproduction.

Another path to parentage is consent to assisted reproduction.

Many children in Massachusetts are welcomed into their families through assisted reproduction. In fact, Massachusetts has the highest rate of births through assisted reproduction in the country according to the federal Centers for Disease Control.

This bill ensures that these children - born to married and unmarried parents, born to single parents, born through gamete donation - have a clear path to parentage and also have clarity on who is a parent and who is a donor. This bill defines assisted reproduction; to be clear, this bill does not regulate assisted reproduction healthcare procedures.

To understand the second path to parentage – *consent* to assisted reproduction – it’s important to briefly understand assisted reproduction. Assisted reproduction encompasses a variety of medical procedures, some of which can be done at home and some of which require office visits.

LGBTQ+ families rely upon assisted reproduction to start their families. Non-LGBTQ families also use assisted reproduction, including IVF, when there is difficulty conceiving.

The bottom line is that assisted reproduction is healthcare, and the children born through this healthcare must be equally protected.

Determining when there is *consent* to assisted reproduction is a subject of the Parentage Act. Consent can be established through a signed document such as a written agreement, an email, a text, or some other document. Consent also can be established by evidence of a verbal agreement. The bill aims to make it accessible to establish parentage through consent to assisted reproduction.

Finally, the bill provides clear procedural processes to secure a court judgment of parentage if desired by the family.

The purpose of this path to parentage – consent to assisted reproduction – is that if a person agrees to be a parent through assisted reproduction that is what establishes parentage - regardless of marital status or genetic connection.

An additional path to parentage is de facto parentage.

A de facto parent is a person who assumes the day-to-day responsibilities of parenting and caring for a child with the encouragement or acquiescence of the other parent. A de facto parent provides stability to children.

Massachusetts courts partially recognize the concept of de facto parentage. As the law developed, it took a bizarre turn. If a court determines a person is a de facto parent, courts do not grant custody or other critical legal rights and obligations to that parent. Instead, they merely grant the de facto parent the right to visitation.

Although I don’t doubt that the courts interpreted the law in good faith, limiting a *parent* to visitation of their child is internally inconsistent.

The primary purpose of the de facto parentage section is to ensure that de facto parents are granted the full rights and responsibilities of a legal parent for the benefit of the child.

Right now, Massachusetts families are very much in need of this path to parentage which, empirical research by Professor NeJaime and Professor Joslin shows, is vital to protecting children of low-income families and to keeping children with their established caregiver and out of the child welfare system.

In creating a procedure for claims of de facto parentage, the core principle that justice delayed is justice denied applies. The time that a de facto parent is litigating their claim is time that a child might be improperly separated from a parent who is key to their stability and well-being.

The Act lays out a three-step process for determining if a person is a de facto parent. I will explain the three-step process.

The first step is to determine if the petition is sufficient. This means that all the relevant information is included. It is a basic administrative step that the court should do quickly, and at least within 60 days.

The second step is to determine if the petitioner has standing to bring a claim. The court also must make this determination expeditiously - and in no more than 60 days. Hearings held under the sufficiency and standing steps should typically **NOT** be *evidentiary* hearings. The omission of the word “evidentiary” is deliberate. De facto parents - particularly low income or pro se parents - have to be able to have an achievable and fair standing process. And children shouldn’t be separated from their parents by burdensome court processes.

The third step of the procedure is to make a decision on the merits to determine if the petitioner is a de facto parent. The Act lays out a 7-factor test. These factors include residence, caregiving, and whether the petitioner created a bonded relationship with the child.

Again, the purpose of this provision is to provide clear guidance to courts on how to handle these claims. If a party tries to distract the court from swiftly making a sufficiency or standing determination, the court should order the parties to stay focused on the claim before it.

The three steps should not be burdensome. It is intended to ensure that a child is not denied a parent and has access to all the benefits of a legal parent/child relationship.

The final path to parentage that I will describe is surrogacy. The Act ensures that Massachusetts law provides clear guidance on how to establish parentage through surrogacy, protecting children, people acting as surrogates, and intended parents. We currently have fallen behind in our protections for families through our lack of any statutory framework.

A surrogate is not a parent. But the Act recognizes the rights of surrogates and provides strong protections for them. Specifically, the Act protects the rights of the surrogate to make their own medical decisions regarding pregnancy. Surrogacy is an extraordinary act of service. It helps others form families.

The surrogacy section of the Act is one of which I am especially proud. It is about reproductive choice. As is well known, reproductive choice is not limited to abortion. It is so much more, including decisions on family-building including surrogacy.

The Act’s comprehensive legal framework on surrogacy is long overdue. In 2001, the Supreme Judicial Court called for a “comprehensive set of laws that deal with the medical, legal, and ethical aspects of surrogacy.”

At long last, we are addressing this need. In addition to creating paths to parentage, as I noted in my acknowledgment to the gentleman from Belmont, the Parentage Act is thematically related to the Archaic Law Act that we passed earlier this session. This Act also repeals archaic laws.

One example is section 1 of chapter 209C. A provision there reads that “the term ‘child born out of wedlock’ shall refer to any child born to a *man and woman* who are not married to each other.” As written, current law offers an outdated view of parentage. We are changing that too.

I would like to express my deep appreciation to the Parentage Coalition. The Coalition is comprised of over 60 organizations and many families from across the state.

I am especially grateful for the tireless work of Polly Crozier of GLAD, Yale Professor

Doug NeJaime, and the inimitable Arline Isaacson.

Finally, I cannot thank enough the tireless work of my Legal Counsel, David Emer, for his persistence, vision, and hard work to produce the strongest possible version of the Parentage Act before the Senate today.

I noted at the beginning of my remarks that this bill is of monumental significance.

Our law reflects our values. A value that the Parentage Act affirms is diversity. There are diverse paths to becoming a parent.

An even more fundamental value that this law reflects is love.

“Love is the question and love is the answer,” as the late Mel King famously observed.

Activists asked us to recognize their families. This Act is our answer.

In the strongest possible terms, I urge a YES vote on this legislation.

On motion of Senator Edwards, under Senate Rule 6A, the above remarks were ordered printed in the Journal of the Senate.

Ordered printed.

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 2906 and pending the main question on ordering the bill to a third reading, Ms. Rausch moved that the proposed new text be amended in section 1 by inserting, in line 5, before the word “parents” the following words:- “parent or”.

1

The amendment was adopted.

There being no objection, the matter was temporarily laid aside.

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- was read a second time.

Substance use disorder,-- treatments.

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

PAPER FROM THE HOUSE

Engrossed Bill.

An engrossed Bill relative to the direct wine shipper license (see House, No. 4698, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- was further considered, the main question being on ordering the bill to a third reading.

Substance use disorder,-- treatments.

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 2898 and by striking out the title and inserting the following: “An Act relative to accessing harm reduction initiatives”.

There being no objection, the matter was temporarily laid aside.

The House Bill to ensure legal parentage equality (House, No. 4750),-- was considered, the main question being on ordering the bill to a third reading.

Parentage equality.

Mr. Cyr moved that the proposed new text be amended by inserting after section 3, the following the section:-

“SECTION 3A. Chapter 209C of the General Laws is hereby amended by striking out the title, as so appearing, and inserting in place thereof the following title:- NONMARITAL CHILDREN AND PARENTAGE OF CHILDREN.”;

In section 64, by striking out, in line 354, the word “respondent” and inserting in place thereof the following words:- “defendant parent”;

In said section 64, by inserting after the word “defendant”, in line 356, the following word:- “parent”;

In said section 64, by striking out, in lines 359 and 360, each time they appear, the words “or guardian”;

In said section 64, by striking out, in line 368, the words “de facto” and inserting in place thereof the following word:- “legal”;

In said section 64, by striking out, in line 436, the words “will be born” and inserting in place thereof the following words:- “is reasonably expected to be born”;

In said section 64, by striking out, in line 439, the word “deemed”;

In said section 64, by striking out, in line 440, the word “solely”;

In said section 64, by striking out, in line 462, the words “or (iii) t” and inserting in place thereof the following words:- “and (iii)”;

In said section 64, in proposed section 27 of chapter 209C of the General Laws, by adding the following subsection:-

“(n) A spouse who has commenced an action for divorce, or a spouse who has been served with a complaint for divorce, may begin assisted reproduction pursuant to this section; provided, however, that the spouse that does not begin assisted reproduction pursuant to this section shall not be a parent of any child born as a result of the assisted reproduction unless both parties consent in writing to be parents of the child after commencement of the divorce action. A spouse who proceeds with assisted reproduction pursuant to this section shall not utilize gametes of their spouse unless their spouse consents in writing to the use of their gametes for assisted reproduction by the spouse after commencement of a divorce action.”;

In said section 64, by striking out, in line 522, the words “is expected to be born” and inserting in place thereof the following words:- “pursuant to a surrogacy agreement is expected to be born”;

In said section 64, by striking out, in line 590, the words “and welfare”;

In said section 64, in proposed chapter 209C of the General Laws, by striking out section 28D and inserting in place thereof the following section:-

“Section 28D. Unless a surrogacy agreement expressly provides otherwise: (i) the validity of a surrogacy agreement shall not be affected by the marriage of the surrogate or of an intended parent after the surrogacy agreement has been signed by all parties and in such instances: (A) the surrogate’s spouse’s or intended parent’s spouse’s consent to the surrogacy agreement shall not be required; and (B) the surrogate’s spouse or intended parent’s spouse shall not be a presumed parent of a child conceived by assisted reproduction under the surrogacy agreement; or (ii) the divorce or annulment of the surrogate or of an intended parent after the surrogacy agreement has been signed by all parties shall not affect the validity of the surrogacy agreement.”;

In said section 64, by striking out, in line 646, the words “(c) or subsection (b) of” and inserting in place thereof the following words:- “(c),”;

In said section 64, by striking out, in line 725, the figure “(c)” and inserting in place thereof the following figure:- “(d)”;

In section 65, by striking out, in line 846, the words “The department of the trial court” and inserting in place thereof the following words:- “The trial court of the commonwealth”.

UNCORRECTED PROOF.

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 six minutes before one o'clock P.M., on motion of Mr. Cyr, as follows, to wit (yeas 40 – nays 0) [**Yeas and Nays No. 224**]

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.	Spilka, Karen E.
Gomez, Adam	Tarr, Bruce E.
Jehlen, Patricia D.	Timilty, Walter F.
Keenan, John F.	Velis, John C. – 40.

NAYS – 0.

The yeas and nays having been completed at four minutes past one 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. 2912].

Recess.

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

Recess.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill relative to certain parcels of land in the town of Cohasset (House, No. 4037),-- was read a third time.

Cohasset,-- land.

Pending the question on passing the bill to be engrossed, Mr. O'Connor moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2911 and by striking out the title and inserting in place thereof the following title:- "An Act authorizing the change of use of a certain parcel of park land in the town of Cohasset".

The amendment was adopted.

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

amendment.

Sent to the House for concurrence in the amendment.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- was further considered, the main question being on ordering the bill to a third reading.

Substance use disorder,-- treatments.

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

1

“SECTION XX. Section 21 of chapter 94C, as appearing in the 2022 Official Edition, is hereby amended by striking out the third paragraph and inserting in place thereof the following paragraph:-

The department, in consultation with relevant stakeholders and experts in the treatment and management of acute and chronic pain, and based in part on the Pain Management Best Practices Inter-Agency Task Force Report issued by the United States Department of Health and Human Services, shall produce and distribute either in written or electronic form to pharmacies, not including institutional pharmacies, pamphlets for consumers relative to narcotic drugs, specifically opiates, that include educational information related to: (i) pain management and the use and availability of non-opioid alternatives for the treatment of acute and chronic pain, including, but not limited to: (A) information on available non-opioid alternatives for the treatment of pain, including non-opioid medications and non-pharmacological therapies; and (B) the advantages and disadvantages of the use of such non-opioid treatment alternatives; (ii) the consumer’s option to fill a prescription for a schedule II controlled substance in a lesser quantity than indicated on the prescription pursuant to subsection (d³/₄) of section 18; (iii) misuse and abuse by adults and children; (iv) the risk of dependency and addiction; (v) proper storage and disposal; (vi) addiction support and treatment resources; (vii) the telephone helpline operated by the bureau of substance addiction services established in section 18 of chapter 17; (viii) risks of unintended overdoses associated with prescription opioid use, including, but not limited to: (A) mixing any opioid with respiratory depressants, including, but not limited to, alcohol, benzodiazepines and stimulants; and (B) changes in personal tolerance levels for persons with a history of overdose; and (ix) risk reduction measures to prevent, respond to and reverse an opioid overdose. A pharmacist shall distribute the pamphlet when dispensing a narcotic or controlled substance contained in schedule II or III; provided, however, that pharmacists shall not be required to distribute the pamphlet if: (i) the patient is receiving outpatient palliative care pursuant to section 227 of chapter 111; (ii) the patient is a resident of a long-term care facility; or (iii) the narcotic or controlled substance is prescribed for use in the treatment of substance use disorder or opioid dependence. For the purposes of this section, non-opioid treatment alternatives shall include, but shall not be limited to, medications, restorative therapies, interventional procedures, behavioral health approaches and complementary and integrative treatments.”

After remarks, the amendment was *rejected*.

Messrs. Moore, Tarr and Montigny moved that the proposed new text be amended in section 5, in line 92, by inserting after the words “select board or city council” the following words:- “, in consultation with the municipal police department.”.

2

The amendment was *rejected*.

Ms. Creem moved that the proposed new text be amended by adding the following sections:-

3

“SECTION __. Section 1 of chapter 94C of the General Laws, as appearing in the 2022

Official Edition, is hereby amended by inserting after the word ‘substances’, in line 123, the following words:- ‘; provided, however, that said testing equipment shall not include fentanyl test strips or any testing equipment or device solely used, intended for use or designed to be used to determine whether a substance contains fentanyl or its analogues’.

SECTION __. Said chapter 94C is hereby further amended by inserting after section 19F the following section:-

Section 19G. Any person who, in good faith, provides, administers or utilizes a fentanyl test strip or any testing equipment or device solely used, intended for use or designed to be used to determine whether a substance contains fentanyl or its analogues shall not, as a result of the person’s acts or omissions, be subject to any criminal or civil liability or any professional disciplinary action; provided, however, that this section shall not apply to acts of gross negligence or willful or wanton misconduct.”

The amendment was *rejected*.

Messrs. Moore, Tarr and Montigny moved that the proposed new text be amended in section 5, in line 92, by inserting after the word “program.” the following two sentences:-

5

“Not less than 30 days prior to the board of health’s approval of a program that will provide overdose reversal care and supervision of persons who consume pre-obtained substances, the board of health, in conjunction with the select board or city council, shall hold an in person community meeting in proximity to the potential site; provided that the board of health shall also provide the ability for members of the public to view the meeting remotely via the internet.

The board of health shall post notice of the community meeting at least seven days prior to the community meeting. The meeting notice shall include, but is not limited to, the proposed location of the site, the operator, its hours of operation, an explanation on why the location is under consideration and what services will be performed at the site, any expected impacts on the surrounding area and planned measures to mitigate said impacts.”

The amendment was *rejected*.

Messrs. Moore and Tarr moved that the proposed new text be amended in section 5, by inserting after subsection (f) the following subsection:-

6

“(g)(1) Any entity operating a site that provides drug testing services, overdose reversal care or supervision of persons who consume pre-obtained substances shall reimburse a municipality for the costs of any impacts on municipal services, including but not limited to, police, fire, ambulance, emergency medical services, public works or board of health, related to or arising from the operation of, or an individual’s use of, drug testing services, overdose reversal care or supervision of persons who consume pre-obtained substances.

(2) Prior to providing said drug testing services, overdose reversal care or supervision of persons who consume pre-obtained substances the entity providing such services shall enter into a host community agreement with their municipal host community, which shall include, but is not limited to, provisions for the reimbursement of costs imposed upon the municipality, public health and safety staffing levels, and other terms and conditions to mitigate impacts on the host community.”

The amendment was *rejected*.

Mr. Moore moved that the proposed new text be amended in section 2, in line 42, after the word “antagonists” the following two paragraphs:-

7

“Areas with low incidents of opiate overdose, as determined by the board in consultation with the department, shall provide opioid antagonists, as defined in section 19B, for purchase through an accessible opioid antagonist dispenser in a public location; provided, however, that the continuous supply of opioid antagonists shall include opioid antagonists that are approved by the United States Food and Drug Administration to be sold over the counter without a prescription.

Any public location that installs an accessible opioid antagonist dispenser shall notify

the department if the supply or stock of opioid antagonist doses is insufficient to enable compliance with maintaining a continuous supply of opioid.”; and

By inserting in section 3 the following definition:-

“‘Accessible opioid antagonist dispenser’, a vending machine or a self-service device that is available for public use and dispenses items when a coin, token, paper currency, or other means of payment is inserted.”

The amendment was *rejected*.

Messrs. Cronin, Lewis, Payano and Collins moved that the proposed new text be amended by inserting the text of Senate document numbered 2917, relative to Supportive Care for Serious Mental Illness.

8

The amendment was *rejected*.

Mr. Rodrigues in the Chair, Messrs. Brownsberger, Payano and Tarr moved that the proposed new text be amended by inserting after section 15 the following section:-

11

“SECTION 15A. (a) There shall be a special commission to study prescribing practices for benzodiazepines and non-benzodiazepine hypnotics.

(b) The commission shall meet not less than 4 times and shall invite the public and medical experts in the field to offer testimony. The commission shall study and make recommendations on topics including, but not limited to: (i) current and best prescribing practices for benzodiazepines and non-benzodiazepine hypnotics; (ii) proper labeling of benzodiazepines and non-benzodiazepine hypnotics; and (iii) protocols to safely discontinue the use of benzodiazepines and non-benzodiazepine hypnotics and minimize the patient’s symptoms of withdrawal.

(c) The commission shall consist of: the commissioner of public health or a designee, who shall serve as chair; the secretary of health and human services or a designee; 4 members to be appointed by the governor, 1 of whom shall be a psychiatrist licensed to practice in the commonwealth, 1 of whom shall be a representative from the bureau of substance abuse services, 1 of whom shall be a representative from the Center for Addiction Medicine at Massachusetts General Hospital and 1 of whom shall be an advocate from the addiction treatment community.

(d) The commission shall report its findings and recommendations, including any proposed legislation, to the clerks of the senate and the house of representatives, the joint committee on mental health, substance use and recovery and the senate and house committees on ways and means not later than 1 year after the commission’s first meeting.”

After remarks, the amendment was adopted.

Mr. Brownsberger in the Chair, Ms. Creem and Mr. Collins moved that the proposed new text be amended by adding the following 20 sections:-

12

“SECTION __. Section 7 of Chapter 19, as appearing in the 2020 Official Edition, is hereby amended by inserting, in line 3, after the words ‘health facilities’, the following new language:- ‘, including the Bridgewater State Hospital,’.

SECTION __. Section 7 of Chapter 19, as so appearing, is hereby amended by inserting after the first paragraph the following paragraph:

The commissioner shall have the responsibility for the operation and oversight of Bridgewater State Hospital and for providing, according to the rules and regulations of the department of mental health, all medical and mental health treatment for all men sent to that facility. The Commissioner will operate Bridgewater State Hospital in accordance with section 16A of this chapter, the provisions of chapter 123 and regulations of the department. The Commissioner shall provide forensic services for individuals committed for evaluation or treatment pursuant to sections 15 through 18 of chapter 123, as well as continuing care inpatient services for individuals determined to require strict security in accordance with the regulations of the department.

SECTION __. Section 18 of Chapter 125, as so appearing, is hereby repealed.

UNCORRECTED PROOF.

SECTION __. Chapter 19 of the General Laws, as so appearing, is hereby amended by inserting after section 16A the following section:-

Section 16B. The department shall develop and maintain, in accordance with its standards, a division of forensic mental health services to provide forensic services that shall include, but shall not be limited to: court-ordered evaluations of competence to stand trial, criminal responsibility, and aid-in-sentencing; programs and services for restoration of competence for individuals who have been adjudicated incompetent to stand trial; evaluations of need for care and treatment for individuals who have been adjudicated incompetent to stand trial, not guilty by reason of mental illness or who are being held in correctional facilities or places of detention; the setting of standards for and certification of clinicians qualified to perform evaluations; and specialized risk assessment evaluations; and the establishment and maintenance of court clinics for the performance of clinical consultations and court-ordered evaluations. Forensic services may also include, but shall not be limited to: programs and services for police and pre-trial diversion; post adjudication alternatives to incarceration, including specialty court services; and re-entry.

The division shall give major consideration to the development of forensic health services that can be provided in the community or in settings other than an inpatient facility.

SECTION __. Section 4 of Chapter 123, as so appearing, is hereby amended by striking the words ‘, or the medical director if said person is at the Bridgewater state hospital,’ in the first sentence of the first paragraph.

SECTION __. Section 4 of Chapter 123, as so appearing, is hereby amended by striking out the words in the second paragraph ‘or the medical director at the Bridgewater state hospital’.

SECTION __. Section 4 of Chapter 123, as so appearing, is hereby amended by striking out in the third paragraph the words ‘or said medical director’.

SECTION __. Section 7(b) of Chapter 123, as so appearing, is hereby amended by replacing it with the following:-

‘(b) The Commissioner of mental health, or with the approval of the commissioner of mental health, the superintendent of a facility, may petition the district court or the division of the juvenile court department in whose jurisdiction the facility is located for the commitment to the Bridgewater state hospital of any male patient at said facility when it is determined that the failure to hospitalize in strict security would create a likelihood of serious harm by reason of mental illness.’

SECTION __. Section 8B of Chapter 123, as so appearing, is amended by striking out the words in the first paragraph ‘or medical director of the Bridgewater state hospital’.

SECTION __. Section 13 of Chapter 123, as so appearing, is hereby repealed.

SECTION __. Section 14 of Chapter 123, as so appearing, is deleted and inserting in place thereof the following paragraph:-

‘Whenever the failure to retain any person in strict security would not create a likelihood of serious harm by reason of mental illness but that such person is in need of further care and treatment in a facility, the superintendent shall submit a request to the commissioner for a transfer to another facility. The commissioner will approve transfer from Bridgewater to a designated facility. The Commissioner shall execute the transfer within thirty days of receipt of such request.’

SECTION __. Section 16(b) of Chapter 123, as so appearing, is amended by striking out the words in the first sentence ‘or the medical director of the Bridgewater state hospital’.

SECTION __. Section 16(e) of Chapter 123, as so appearing, is amended by striking out the words ‘or medical director of Bridgewater state hospital’.

SECTION __. Section 17(a) of Chapter 123, as so appearing, is amended by striking out the words ‘or the medical director of Bridgewater state hospital’ and striking out the words ‘or medical director’.

SECTION __. Section 17(a) of Chapter 123, as so appearing, is amended by striking the words ‘or medical director’.

SECTION __. Section 18(a) of Chapter 123, as so appearing, is amended by striking out the words ‘and the medical director of the Bridgewater state hospital’ and ‘; provided, however, that, notwithstanding the court's failure, after an initial hearing or after any subsequent hearing, to make a finding required for commitment to the Bridgewater state hospital, the prisoner shall be confined at said hospital if the findings required for commitment to a facility are made and if the commissioner of correction certifies to the court that confinement of the prisoner at said hospital is necessary to insure his continued retention in custody.’

SECTION __. Section 18(c) of Chapter 123, as so appearing, is amended by striking out the words ‘or the medical director of the Bridgewater state hospital’.

SECTION __. Section 21 of Chapter 123 of the General Laws, as so appearing, is hereby amended by striking out the twelfth paragraph and inserting in place thereof the following paragraph:–

‘A copy of the restraint form and any such attachments shall become part of the chart of the patient. Copies of all restraint forms and attachments shall be sent to the commissioner of mental health who will review and sign them within thirty days. Statistical restraint records shall be kept for every facility and each designated physician, in a form and manner that will permit the commissioner to analyze and, if appropriate, request corrective action regarding the use of restraint in facilities under supervision and control of the department and all facilities licensed by it. Such data, excluding patient identification, shall be made available to the general public.’

SECTION __. Section 33 of chapter 123 of the General Laws, as so appearing, is hereby repealed.

SECTION __. Sections __ through __ shall take effect on December 31, 2024.”

The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by inserting the text of Senate document numbered 2918, relative to Dual Diagnosis Treatment Coverage.

14

After remarks, the amendment was *rejected*.

Mr. Kennedy moved that the proposed new text be amended in section 1, by inserting after the word “authorization” in line 6 the following:– “; provided however the commission may impose reasonable quantity limits as determined by the division of insurance in consultation with the department of public health and the center for health information and analysis”;

19

In section 7 by inserting after the word “authorization” in line 319 the following:– “; provided however the division may impose reasonable quantity limits in consultation with the division of insurance, department of public health, and the center for health information and analysis”;

In section 8 by inserting after the word “authorization” in line 351 the following:– “; provided however the carrier may impose reasonable quantity limits as determined by the division of insurance in consultation with the department of public health and the center for health information and analysis”;

In section 11 by inserting after the word “authorization” in line 404 the following:– “; provided however the carrier may impose reasonable quantity limits as determined by the division of insurance in consultation with the department of public health and the center for health information and analysis”;

In Section 12 by inserting after the word “authorization” in line 435 the following:– “; provided however the carrier may impose reasonable quantity limits as determined by the division of insurance in consultation with the department of public health and the center for health information and analysis”; and

In section 13 by inserting after the word “authorization” in line 465 the following:- “; provided however the carrier may impose reasonable quantity limits as determined by the division of insurance in consultation with the department of public health and the center for health information and analysis”.

The amendment was *rejected*.

Mr. O’Connor moved that the proposed new text be amended by inserting after section 5 the following section:-

20

“SECTION 5A. Said chapter 111 is hereby further amended by adding the following section:-

Section 245. (a) As used in this section, the following words shall have the following meanings unless the context clearly requires otherwise:

‘Acupuncture detoxification specialist’, a qualified health care professional who is registered with the department to engage in the practice of auricular acupuncture detoxification pursuant to this section.

‘Auricular acupuncture detoxification’, treatment by means of the subcutaneous insertion of sterile, disposable acupuncture needles in consistent, predetermined bilateral locations on the ear in accordance with the standardized auricular acupuncture detoxification protocol developed by National Acupuncture Detoxification Association, Inc.

‘General supervision’, supervision by phone or other electronic means during business hours with in-person site visits as deemed necessary by a licensed acupuncturist.

‘Licensed acupuncturist’, an individual who is licensed under sections 148 to 162, inclusive, of chapter 112 to practice as a licensed acupuncturist.

‘National Acupuncture Detoxification Association training’, the standardized auricular acupuncture detoxification protocol training developed by National Acupuncture Detoxification Association, Inc., effective as of January 1, 2019.

‘Qualified health care professional’, a qualified individual who: (i) is a licensed physician, licensed psychologist, licensed independent clinical social worker, licensed clinical social worker, licensed mental health counselor, licensed psychiatric clinical nurse specialist, certified addictions registered nurse, licensed alcohol and drug counselor I or licensed alcohol and drug counselor II as defined in section 1 of chapter 111J, certified alcohol and drug abuse counselor or certified alcohol and drug abuse counselor II as certified by the Massachusetts Board of Substance Abuse Counselor Certification or an equivalent certifying body or a registered nurse or nurse practitioner certified by the board of registration in nursing pursuant to chapter 112; and (ii) has received training and a certificate of completion from National Acupuncture Detoxification Association, Inc. or from a state-recognized organization or agency that meets or exceeds National Acupuncture Detoxification Association, Inc. training standards to engage in the practice of auricular acupuncture detoxification protocol for the treatment of addictions, mental and behavioral health, trauma as a result of a disaster and other emotional trauma.

(b) An individual who is not a licensed acupuncturist shall not engage in the practice of the auricular acupuncture detoxification or represent themselves as an acupuncture detoxification specialist unless the individual: (i) has been issued: (A) an approved registration by the department to practice auricular acupuncture detoxification in accordance with this section; or (B) a license or certificate in another state with requirements that are at least equivalent to the requirements of this section, as determined by the commissioner; and (ii) has been trained in the standardized auricular acupuncture detoxification protocol in accordance with National Acupuncture Detoxification Association, Inc. training or an equivalent training certificate by a state-recognized organization.

To engage in the practice of auricular acupuncture detoxification within the individual’s designated lawful scope of practice, a qualified health care professional shall file an application to register as an acupuncture detoxification specialist with the

department, in a form determined by the department. Each application may be accompanied by the payment of a fee to be determined by the department.

The applicant seeking to practice auricular acupuncture detoxification shall, at a minimum, furnish proof of: (i) relevant licensure or certification as a qualified health care professional; and (ii) completion of National Acupuncture Detoxification Association, Inc. training or an equivalent training certificate by a state-recognized organization. An applicant who is registered or certified in another state with requirements that are at least equivalent to the requirements of this section, as determined by the commissioner, shall be allowed to practice auricular acupuncture detoxification in accordance with this section. A registration issued under this section shall be valid for 2 years and subject to renewal as determined by the department.

(c) Auricular acupuncture detoxification shall only be performed by a licensed acupuncturist or a qualified health care professional within their designated lawful scope of practice for the purpose of providing integrated health care delivery interventions in substance abuse treatment and wellness promotion including, but not limited to, treating mental and emotional health, post and acute trauma, addiction or chemical dependency.

(d) A qualified health care professional registered in accordance with this section shall only practice under the general supervision of a licensed acupuncturist; provided, however, that no such individual shall use the title “acupuncturist” or otherwise represent themselves or imply that they are a licensed acupuncturist and shall not perform or practice acupuncture outside of the scope of the auricular acupuncture detoxification as defined in this section.

(e) Nothing in this chapter or sections 149 to 162, inclusive, of chapter 112 shall prohibit, limit, interfere with or prevent a qualified health care professional from practicing or performing auricular acupuncture detoxification if the individual is acting within the lawful scope of practice in accordance with the individual’s license and the auricular acupuncture detoxification is performed in: (i) a private, freestanding facility licensed by the department that provides care or treatment for individuals with substance use disorders or other addictive disorders; (ii) a facility under the direction and supervision of the department of mental health; (iii) a setting approved or licensed by the department of mental health; or (iv) any other setting where auricular acupuncture detoxification is an appropriate adjunct therapy to a substance use disorder or behavioral health treatment program; provided, however, that individual or one-on-one appointments with a health care provider not within a setting pursuant to this subsection shall not be an appropriate setting in accordance with this section.

(f) The commissioner may promulgate regulations to implement this section.”; and

By inserting after section 6 the following section:-

“SECTION 6A. Chapter 112 of the General Laws is hereby amended by inserting after section 155 the following section:-

Section 155A. Nothing in this chapter shall prohibit, limit, interfere with or prevent a licensed physician or acupuncturist from practicing or performing auricular acupuncture detoxification, as defined in section 245 of chapter 111, if the licensed physician or acupuncturist is acting within the lawful scope of practice in accordance with their license.”

After remarks, the amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting in line 209 after the word, “regulation” the following:- “provided further, that the department may, in its evaluation of applicants, take into account, to the maximum feasible extent, the demonstrated skills of an applicant in establishing and maintaining effective contacts and interactions with and between those in recovery and community resources and other relevant skills”.

22

After remarks, the amendment was *rejected*.

Messrs. O’Connor, Tarr and Montigny moved that the proposed new text be amended

24

by adding the following sections:-

“SECTION XX. Section 96 of Chapter 71 of the General Laws is hereby amended by inserting after the second paragraph the following:-

Each public school’s substance use prevention policy shall include plans to educate and inform students with particular attention to:

(1) the dangers of addictive substance use generally, and especially of opioids, and the repercussions thereof, and

(2) the immunities granted under section 34A of chapter 94C of the general laws to encourage the reporting of overdoses.

Schools may employ useful methods based on successful models used in other districts. Schools may assess the effectiveness of their measures, share successful approaches with others, and work for more effective substance use education in collaboration with the department of public health and the department of elementary and secondary education.

SECTION XX. This act shall go into effect immediately upon its passage.”

After remarks, the amendment was *rejected*.

Messrs. Keenan and Montigny moved that the proposed new text be amended by inserting the text of Senate document numbered 2919, relative to Expanding Access to Addiction Treatment Services.

25

After remarks, the amendment was *rejected*.

Mr. DiDomenico in the Chair, Messrs. Cronin and Payano moved that the proposed new text be amended by adding the following section:-

26

“SECTION X. Chapter 112 of the General Laws is hereby amended by inserting after section 52G the following two sections:-

Section 52H. In sections 52H and 52I, the following words shall have the following meanings:

‘Impairment’, the inability of a licensed healthcare provider to practice with reasonable skill and safety as a result of a substance use or other mental disorder, or physical illness or condition, including but not limited to those illnesses or conditions that would adversely affect cognitive, motor, or perceptive skills. Impairment is a functional classification which exists dynamically on a continuum of severity and can change over time rather than being a static phenomenon. Illness, per se, does not constitute impairment.

‘Remediation Program’, a confidential program for licensed dental professionals whose ability to practice may be impaired due to illness, typically substance use or other mental health disorders. The program offers a means of recovery and rehabilitation without the loss of a license by providing access to early identification, intervention, evaluation, monitoring, referral to appropriate intervention programs and treatment services, and earned advocacy, when appropriate, of licensees with potentially impairing illness, ideally prior to functional impairment.

‘Continuing Care’, guidance, support, toxicology collection, and accountability through a formal monitoring contract concurrent with or following an evaluation and treatment process.

‘Substantive Non-Compliance’, a pattern of non-compliance or dishonesty in continuing care monitoring or an episode of non-compliance which could place patients at risk.

‘Peer Review Committee’, a committee of healthcare providers which has as its function the evaluation or improvement of the quality of health care rendered by providers of health care services, and the evaluation and assistance of health care providers impaired or allegedly impaired by reason of alcohol, drugs, physical disability, mental instability or otherwise.

Section 52I. (a) The board is hereby authorized and directed to select one or more entities to serve as designated remediation programs. A designated remediation program

shall: (i) serve as a voluntary alternative to traditional disciplinary actions; (ii) establish criteria for the acceptance, denial, or termination of registered dentists and dental hygienists in the program; and (iii) establish an outreach program to identify registered dentists and dental hygienists who may have a substance use disorder and to provide education about the rehabilitation program. Any registered dentist or dental hygienist in Massachusetts may request to participate in the program.

(b) To be eligible for designation, a remediation program shall have demonstrable experience in the field of substance use disorder and employ a licensed mental health professional with experience in the treatment of substance use disorders. No employee or volunteer member of the remediation program who is licensed to practice by the department of public health, division of occupational licensure or by the board of registration in dentistry shall have had any type of disciplinary or enforcement action taken against them by their respective licensing board, the United States Food and Drug Administration or the United States Drug Enforcement Administration during the 5 years preceding their appointment to the program. No member of the board shall be employed by or volunteer for the program.

(c) The remediation program shall have the following duties and responsibilities: (i) to evaluate registered dentists and dental hygienists who request to participate in the program regarding admission into the program; (ii) to agree to accept referrals from the board; (iii) to review and designate treatment facilities and assessment services to which participants may be referred; (iv) to receive and review information concerning a participant in the program; (v) to disclose to the board aggregate data and statistics on compliance based on ongoing recovery documentation; (vi) to provide each participant, through contracted agreements, with an individualized remediation plan according to guidelines developed through collaboration between the board and the remediation program with regards to requirements for supervision; (vii) to provide information to dentists or dental hygienists who request to participate in the program, and (viii) to establish an outreach program to identify registered dentists and dental hygienists who may have a substance use or other mental health disorder, and to provide education about the remediation program.

(d) In accordance with peer review law, proceedings, reports, and records of the remediation program are to be kept confidential pursuant to section 204 of chapter 111. Such records are not to be disclosed, are not subject to subpoena or discovery, and cannot be introduced into evidence in any judicial or administrative proceeding, subject to paragraph (e) and (f).

(e) A registered dentist or dental hygienist who requests to participate in the remediation program shall agree to cooperate with the individualized remediation plan recommended by the remediation program. The remediation program may report to the board the name and license number of a registered dentist or dental hygienist that fails to comply with the provisions of an individualized remediation plan.

(f) After the remediation program, in its discretion, has determined that a registered dentist or dental hygienist has successfully completed an individualized remediation plan through the program, the board shall seal all records pertaining to the participation of the registered dentist or dental hygienist in the program. No record shall be sealed sooner than 5 years from the participant's date of entry into the program. All board and remediation program records of a participant's involvement in the program shall be kept confidential and shall not be subject to discovery or subpoena in any civil, criminal, legislative or administrative proceeding without the prior written consent of the participant."

The amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended in section 2 by striking, in lines 36 and 37, the following words:- "located in areas with high incidents of opiate overdose, as determined by the board in consultation with the department,".

27

After remarks, the amendment was *rejected*.

Mr. Keenan and Ms. Jehlen moved that the proposed new text be amended in section 5, by inserting after the word “members”, in line 87, the following word:- “, consultants”.

After remarks, the amendment was adopted.

Mr. Keenan and Ms. Jehlen moved that the proposed new text be amended in section 5, by striking out, in lines 92 and 93, the words “, the select board or city council shall also vote to approve or deny such program” and inserting in place thereof the following words:- “the municipal legislative body shall vote to approve or deny such program in the manner provided for in section 4 of chapter 4”.

After remarks, the amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in section 5, by inserting after the word “means”, in line 102, the following words:- “; provided, however, that the report shall include, but not be limited to, site-specific information on the: (i) number of participant visits; (ii) types of drugs consumed and tested; (iii) number of overdoses reversed; (iv) types of drugs involved in overdoses; (v) staffing levels and staff experiences; (vi) operating costs; (vii) number of referrals to addiction treatment; (viii) number of hypodermic needles and syringes collected and distributed; (ix) medical emergency and 911 calls; and (x) in consultation with local law enforcement, report on changes to the prevalence of crimes in the vicinity of the program.”.

After remarks, the amendment was adopted.

Messrs. Keenan and Montigny moved that the proposed new text be amended in section 15, by striking out, in line 507, the words “and (iv) barriers to sober home facility improvements” and inserting in place thereof the following words:- “(iv) barriers to sober home facility improvements, including, but not limited to, fiscal constraints; and (v) different aspects, if any, between certified and noncertified sober homes”; and

In said section 15, by inserting after the word “health”, in line 512, the following words:- “, the joint committee on mental health, substance use and recovery”.

After remarks, the amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in line 289 to 290 by striking out the words:- “not less than twice per year”.

After remarks, the amendment was *rejected*.

Ms. Moran and Messrs. Payano and Tarr moved that the proposed new text be amended by inserting after section 15 the following section:-

“SECTION 15A. (a) The bureau of substance use addiction services shall conduct a study on the potential benefits of expanding collaborative practice agreements between physicians and pharmacists to allow for the prescription of schedule II to VI, inclusive, controlled substances by pharmacists outside of the hospital or health care institution setting to treat patients with substance use disorders.

(b) The bureau shall study and report on: (i) collaborative practice agreements between physicians and pharmacists for the prescription of substances in collaborative practice agreements in other states; and (ii) the positive and negative impacts of allowing a collaborative practice agreement for schedule II to VI, inclusive, controlled substances.

(c) The department shall submit a report detailing the results of the study, along with recommendations and any proposed legislation necessary to carry out its recommendations, to the clerks of the senate and house of representatives, the joint committee on mental health, substance use and recovery, the joint committee on public health and the senate and house committees on ways and means not later than January 1, 2025.”

After remarks, the amendment was adopted.

Ms. Moran moved that the proposed new text be amended in section 5, by striking out the definition of “Drug testing services” and inserting in place thereof the following definition:-

“‘Drug testing services’, the use of testing equipment for the surveillance or identification of, or to analyze the strength, effectiveness or purity of, a controlled substance related to its injection, inhalation or ingestion by a person to determine whether the controlled substance contains chemicals, toxic substances or hazardous compounds.”.

After remarks, the amendment was adopted.

Mr. Keenan moved that the proposed new text be amended in section 1 by striking, in lines 3 to 20, inclusive, paragraph (a) and (b) and inserting in place thereof the following:-

34

“Section 17T. (a) Coverage offered by the commission to an active or retired employee of the commonwealth insured under the group insurance commission shall provide coverage for prescribed or dispensed opioid antagonists, including opioid antagonists as defined in section 19B of chapter 94C, and opioid agonists, including partial agonists which shall be deemed medically necessary and shall not require prior authorization; provided, however, that a prescription from a health care practitioner shall not be required for coverage of opioid antagonists and opioid agonists, including partial agonists. An opioid antagonist and an opioid agonist, including partial agonists, shall not be subject to any deductible, coinsurance, copayments or out-of-pocket limits; provided, however, that cost-sharing shall be required if the applicable plan is governed by the Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this service.

(b) The commission shall provide coverage for an opioid antagonist and an opioid agonist, including partial agonists, as a medical benefit when dispensed by the health care facility, including substance use treatment facility, in which the opioid antagonist or opioid agonist, including partial agonists, was prescribed or ordered and shall provide coverage as a pharmacy benefit for an opioid antagonist and an opioid agonist, including partial agonists, dispensed by a pharmacist, including an opioid antagonist and an opioid agonist, including partial agonists, dispensed pursuant to section 19B of chapter 94C; provided, however, that the rate to be reimbursed under the medical benefit shall not exceed the commission’s average in-network pharmacy benefit rate and the health care facility shall not balance bill the patient. If dispensed directly to the patient, the commission shall ensure cost to the health care facility is covered through reimbursement or other mechanism as determined by the commission in consultation with the Department of Public Health and the Division of Insurance.”

In section 7 by striking, in lines 314 to 335, inclusive, paragraph (a) and (b) and inserting in place thereof the following:-

“Section 10R. (a) The division and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid managed care organization, accountable care organization or primary care clinician plan shall provide coverage for prescribed or dispensed opioid antagonists, including opioid antagonists, as defined in section 19B of chapter 94C, and opioid agonists, including partial agonists, which shall be deemed medically necessary and shall not require prior authorization; provided, however, that a prescription from a health care practitioner shall not be required for coverage of opioid antagonists and opioid agonists, including partial agonists. An opioid antagonist and an opioid agonist, including partial agonists, shall not be subject to any deductible, coinsurance, copayments or out-of-pocket limits; provided, however, that cost-sharing shall be required if the applicable plan is governed by the Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this service.

(b) The division and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid managed care organization, accountable care organization or primary care clinician plan shall provide coverage for an opioid antagonist and an opioid agonists, including partial agonists, as a medical benefit when dispensed by the health care facility,

including substance use treatment facility, in which the opioid antagonist or opioid agonists, including partial agonists, was prescribed or ordered and shall provide coverage as a pharmacy benefit for an opioid antagonist and an opioid agonists, including partial agonists, dispensed by a pharmacist, including an opioid antagonist and an opioid agonists, including partial agonists, dispensed pursuant to section 19B of chapter 94C; provided, however, that the rate to be reimbursed under the medical benefit shall not exceed the carrier's average in-network pharmacy benefit rate and the health care facility shall not balance bill the patient. If dispensed directly to the patient, the division shall ensure cost to the health care facility is covered through reimbursement or other mechanism as determined by the division in consultation with the Department of Public Health and the Division of Insurance.”

In section 8 by striking, in lines 347 to 365, inclusive, paragraph (a) and (b) and inserting in place thereof the following:-

“Section 47VV. (a) Any policy, contract, agreement, plan or certificate of insurance issued, delivered or renewed within the commonwealth, which is considered creditable coverage under section 1 of chapter 111M, shall provide coverage for prescribed or dispensed opioid antagonists, including opioid antagonists as defined in section 19B of chapter 94C, and opioid agonists, including partial agonists which shall be deemed medically necessary and shall not require prior authorization; provided, however, that a prescription from a health care practitioner shall not be required for coverage of opioid antagonists and opioid agonists, including partial agonists. An opioid antagonist and an opioid agonist, including partial agonists, shall not be subject to any deductible, coinsurance, copayments or out-of-pocket limits; provided, however, that cost-sharing shall be required if the applicable plan is governed by the Internal Revenue Code and would lose its tax-exempt status as a result of the prohibition on cost-sharing for this service.

(b) The policy, contract, agreement, plan or certificate of insurance shall provide coverage for an opioid antagonist and an opioid agonist, including partial agonists, as a medical benefit when dispensed by the health care facility, including substance use treatment facility, in which the opioid antagonist or opioid agonist, including partial agonists, was prescribed or ordered and shall provide coverage as a pharmacy benefit for an opioid antagonist and an opioid agonist, including partial agonists, dispensed by a pharmacist, including an opioid antagonist and an opioid agonist, including partial agonists, dispensed pursuant to section 19B of chapter 94C; provided, however, that the rate to be reimbursed under the medical benefit shall not exceed the carrier's average in-network pharmacy benefit rate and the health care facility shall not balance bill the patient. If dispensed directly to the patient, the division shall ensure cost to the health care facility is covered through reimbursement or other mechanism as determined by the commission in consultation with the Department of Public Health and the Division of Insurance.”

After remarks, the amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by inserting the text of Senate document numbered 2920, relative to Expanding Access to Alternative Pain Treatments.

36

After remarks, the amendment was *rejected*.

Mr. Keenan moved that the proposed new text be amended by inserting, after section __, the following section:-

37

“SECTION __. (a) Notwithstanding any general or special law to the contrary, the Massachusetts alcohol and substance abuse center, hereinafter referred to as the center, shall be considered a security facility under section 35 of chapter 123 of the General Laws for the purposes of commitments under said section 35 until the conditions under subsection (b) are satisfied.

(b) The secretary of health and human services shall develop a plan to end operations at the center as a facility accepting persons committed for treatment for alcohol or substance

use disorder by not later than December 31, 2026; provided, however, that persons may continue to be committed to the center under said section 35 of said chapter 123 until the department of public health and department of mental health have licensed and approved suitable facilities with a total bed capacity equal to the center. Such facilities shall be geographically distributed so as to provide access to treatment in all regions of the commonwealth.

(c) The secretary shall submit the plan required under subsection (b) to the clerks of the senate and house of representatives and to the joint committee on mental health, substance abuse and recovery not later than 180 days after the effective date of this act. The secretary shall submit interim reports quarterly detailing the progress towards ending operations at the center to the clerks of the senate and house of representatives and to the joint committee on mental health, substance abuse and recovery. The quarterly reports shall include, but shall not be limited to the following: (i) a census of persons being treated at the center; (ii) the number of persons transferred from the center to other facilities licensed by the department of public health or department of mental health; (iii) the location and bed capacity of each newly licensed facility; (iv) the type of facility and location of newly committed persons under section 35 of chapter 123 of the General Laws; and (v) the anticipated fiscal impact, if any, of complying with this section.”

After remarks, the amendment was *rejected*.

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

38

“SECTION __. (a) There is hereby established a special commission to study and make recommendations on ways to address the public health and safety concerns posed by the proliferation of xylazine as an additive to illicit drugs such as fentanyl.

(b) The commission shall consist of the following 13 members: the chairs of the joint committee on mental health, substance use, and recovery, who shall serve as co-chairs; 1 member appointed by the speaker of the house of representatives; 1 member appointed by the minority leader of the house of representatives; 1 member appointed by the senate president; 1 member appointed by the minority leader of the senate; the secretary of health and human services, or their designee; the commissioner of public health, or their designee; the commissioner of mental health, or their designee; the secretary of public safety and security, or their designee; 1 member who is a representative of the bureau of substance addiction services within the department of public health; 1 member who is a representative of the Massachusetts Veterinary Medical Association; and 1 member appointed by the governor who shall be a registered nurse or licensed physician with experience in treating patients for substance use disorder.

(c) The commission shall consider: (i) best practices to regulate and oversee the production and distribution of xylazine to ensure that it is used solely for its intended purpose as an animal tranquilizer administered by licensed veterinarians and not for human consumption; (ii) whether xylazine should be classified as a controlled substance and appropriate penalties for its illegal production and distribution; (iii) the availability of effective outreach and treatment programs for patients who have been exposed to xylazine and ways to address any gaps in available programs and services; and (iv) any other considerations determined to be relevant by the commission.

(d) The commission shall file a report and its recommendations, including any legislation necessary to implement the recommendations, with the clerks of the house of representatives and the senate not later than June 30, 2025.”

After remarks, the amendment was *rejected*.

Messrs. Velis, Montigny and Tarr moved that the proposed new text be amended in section 5, by inserting after the word “program”, in line 97, the following words:- “; provided, however, that in making the determination, the department shall take into

39

consideration the program’s proposed location, including but not limited to, the location’s proximity to schools”.

The amendment was adopted.

Ms. Jehlen moved that the proposed new text be amended in section 5, by inserting after the word “program”, in line 97, the following words:- “; provided, however, that the department shall provide the determination in writing not later than 3 months after receiving notice of approval from the city or town and, if applicable, shall provide an explanation for rejecting a proposed program.”

41

The amendment was adopted.

Mr. Collins moved that the proposed new text be amended by striking out section 5.

42

After remarks, the amendment was *rejected*.

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

44

“SECTION _____. If a patient is taken to the emergency room by emergency first responders after receiving opioid antagonists to survive an overdose, the patient, prior to being discharged shall be evaluated by a social worker who shall make a determination if the patient is safe to be discharged; if said social worker determines that the patient upon being discharged would lead to putting the patient or the public health at risk, the social worker shall refer the patient to a recovery coach in residence at the hospital. If the patient refuses treatment voluntarily and the patient continues to demonstrate that they are a danger to themselves and the public, the social worker shall petition a court under section 35 of chapter 123 of the general laws of said patient to a treatment facility approved by the department of public health.

Hearings and evaluations under section 35 of chapter 123 of the general laws may be performed remotely and at a hospital, health center or medical facility.”

After remarks, the amendment was *rejected*.

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

PAPERS FROM THE HOUSE

Order.

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

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Wednesday, July 31, 2024 within which time to make its final report on current Senate documents numbered 1616, 1618, 1621, 1629, 1638, 1650, 1658, 1659, 1683, 1686, 1692, 1712, 1713, 1729, 1732, 1739, 1742 and 1747, and House documents numbered 2427, 2431, 2461, 2476, 2486, 2487, 2490, 2496, 2505, 2506, 2516, 2527, 2541, 2558, 2567, 2581, 2583, 2592, 2595, 2605, 2610, 2616, 2634, 2643, 2652, 2654, 2661, 2671, 2672, 3648, 3837, 4014, 4081, 4177, 4651, 4652 and 4662.

Public Service,-- extension order.

The rules were suspended, on motion of Mr. Brady, and, after remarks, the order (House, No. 4775) was considered forthwith; and, was adopted, in concurrence.

A petition (accompanied by bill, House, No. 4945) of Michael J. Soter and Ryan C. Fattman for legislation to establish a sick leave bank for Kimberly Martinelli, an employee of the Department of Correction,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Public Service.**

Kimberly Martinelli,-- sick leave.

Orders of the Day.

The Orders of the Day were further considered as follows:

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- was further considered, the main question being on ordering the bill to a third reading.

Mr. Tarr moved that the proposed new text be amended in section 2, by inserting after the word “appropriate”, in line 187, the following words:- “, including, but not limited to, counselors specializing in youth recovery counseling”.

The question on adoption of the amendment was determined by a call of the yeas and nays at seventeen minutes before five o’clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 38 – nays 0) [Yeas and Nays No. 225]:

YEAS.

- | | |
|--------------------------|-----------------------|
| Brady, Michael D. | Kennedy, Edward J. |
| Brownsberger, William N. | Kennedy, Robyn K. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Mark, Paul W. |
| Crighton, Brendan P. | Miranda, Liz |
| Cronin, John J. | Montigny, Mark C. |
| Cyr, Julian | Moore, Michael O. |
| DiDomenico, Sal N. | Moran, Susan L. |
| Durant, Peter J. | O'Connor, Patrick M. |
| Edwards, Lydia | Oliveira, Jacob R. |
| Eldridge, James B. | Pacheco, Marc R. |
| Fattman, Ryan C. | Payano, Pavel M. |
| Feeney, Paul R. | Rausch, Rebecca L. |
| Finegold, Barry R. | Rodrigues, Michael J. |
| Friedman, Cindy F. | Rush, Michael F. |
| Gomez, Adam | Tarr, Bruce E. |
| Jehlen, Patricia D. | Timilty, Walter F. |
| Keenan, John F. | Velis, John C. – 38. |

NAYS – 0.

ABSENT OR NOT VOTING.

Barrett, Michael J. – 1.

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

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

“SECTION_ . Notwithstanding any general or special law to the contrary in order to conduct a comprehensive assessment of each applicant, the department shall establish and maintain one or more peer review panels for the purpose of evaluating an applicant's skills, expertise, and experience utilizing scenario based and other approaches. Said panels shall consist of no more than four, and no less than three, members with not less than 5 years in the field of recovery coaching and/or the administration thereof, whom shall serve for a term of not more than three years, and shall represent diverse personal backgrounds.

Said peer review panels, in conducting such assessment, shall take into account an applicant's personal experience, educational history, potential for success, and demonstrated effectiveness in assisting those in recovery, and, based on such assessment, may seek a waiver of some of the testing requirements otherwise applicable to an applicant through a written request, which shall include the reasons therefore, and which shall be made only with the unanimous approval of all of the members of the relevant panel.”

After remarks, the amendment was *rejected*.

Recess.

Recess.

At four minutes before five o'clock P.M, at the request of Mr. Tarr, for the purpose of a minority caucus, the Chair (Mr. DiDomenico) declared a recess; and, at twenty minutes past five o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Orders of the Day.

The Orders of the Day were further considered as follows:

Substance use disorder,-- treatments.

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- was further considered, the main question being on ordering the bill to a third reading.

21

Mr. Rodrigues moved that the proposed new text be amended in section 5, by inserting after the word program, in line 97, the following words:- “; provided, however, that the department shall submit any such program to the attorney general to ensure compliance with state and federal law”;

In said section 5, by inserting after the word “recovery”, in line 101, the following words:- “, the joint committee on public health”; and

In section 17, by inserting after the figure “11”, in line 516, the following figure:- “, 12”.

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 standing vote, on motion of Mr. Rodrigues, and it was engrossed by a vote of 12 to 3. [For text of Senate amendment, printed as amended, see Senate, No. 2921].

Sent to the House for concurrence in the amendment.

Midwifery care,-- access.

Ms. Creem in the Chair, the House Bill promoting access to midwifery care and out-of-hospital birth options (House, No. 4785),-- was read a second time.

Remarks of Senator Liz Miranda.

Remarks of Senator Miranda.

Thank you Madame President,

I rise today in support of the bill laid before us, *An Act relative to increasing access to perinatal health care*, and I am thrilled that we could bring this to a vote before the end of session.

Its been six long years in this fight...from that day when I walked into a presentation from March of Dimes that changed my life. That day in January of 2019, I walked away thinking when I would choose to give birth, that I would be likely in danger. That I would die due to my zip code or race....I sobbed all the way to my office.

But today if I cry, it will be happy tears.

Before I begin my gratitude and remarks, I want to honor my sister Cristina, her daughters Mila and Stephanie, my cousin Maria and friend Jemina who all struggled giving birth which should of been a joyous time instead filled with trauma, fear, loss and expenses and lack of access and a world that does not and did not listen to these black women.

My deep gratitude to my friends, neighbors, constituents, organizations and advocates, many who are here in the galleries or listening online...and hold in memory those we have lost that should be with us.

I want to thank the gentleman from Provincetown for his leadership partnering with so many members of the Senate to shepherd a strong bill to improve maternal health outcomes

in the Commonwealth, and I want to thank the Senate President and the Chairman of Ways & Means for their leadership and support for many years on reducing racial inequities in maternal health outcomes, and also uplift the work of the gentlelady from Northampton who served the Senate as Co-Chair of the Commission on Racial Inequities and has been a champion for freestanding birth centers in the Commonwealth – I want to thank the gentlelady from Salem who has worked on improving maternal care and postpartum care for many years, the gentlelady from Arlington who has supported and mentored me through my first term in the Senate and the gentlelady from Needham who has led on so many policy fights to expand reproductive justice and protect and advance reproductive freedom in the Commonwealth. It has been my honor to be among you. Thank you immensely to all your staff. Thank you to the MBLLC and women’s caucuses who both prioritized our birth justice agenda.

I want to also uplift and thank every member of the Commission on Racial Inequities in Maternal Health, who for over a year, worked tirelessly to collect, analyze, and share recommendations with the legislature on the public health crisis of maternal mortality and morbidity. And I want to thank all of those who bravely shared their experience with our Commission during our listening session. I know it is not easy to re-live your traumas and share over and over again in hopes that your situation will not be repeated to someone else. Today, you have turned your pain into power, your tears into triumph, and your power into policy.

Today, we honor them, we honor the people who’ve come to the State House relentlessly to advocate for the passage of this bill and have organized for months and years.

And I want to share gratitude and a big thanks to my staffer Rashelle Centeio who has worked on this bill since her first day in the legislature, starting in the House and carrying this work into the Senate with us.

We live in a Commonwealth with the best health care innovation and education in the world, yet in Massachusetts, we have Black women that are two to three times as likely to die from pregnancy-related causes and severe morbidity and mortality which has doubled in the last decade.

The purpose of the racial inequities commission was to improve maternal health outcomes and experiences for the historically and most vulnerable residents of our commonwealth – with an emphasis on reducing racial inequities on a multi-system level.

This commission not only allowed us a seat at the table, it allowed us to rebuild the table and uplift the voices of those who are most impacted by the rules that will govern them.

The framework in which the commission carried out its recommendations understood that this was not based on individual actions but rather on health systems community and provider factors, and societal factors and our interventions must address systems change.

There were deep intentional efforts that underscored the notion that maternal health racial inequities in the Commonwealth and across the country are caused by racism, not race, as the primary driver of poor maternal health outcomes.

With this bill, the Senate is tackling key provisions of the commission on racial inequities in maternal health – the Senate is going even further to ensure our most vulnerable community members are included at the forefront of this bill by tackling maternal health in every stage, from prenatal to birth to postpartum, aiming to make systemic change at each level.

This bill will codify Medicaid coverage for doula care:

Black and publicly insured women were almost twice as likely as white, privately insured women to report wanting but not having doula care.

Women with doula support have lower odds of non-indicated cesareans than those who did not have a doula as well as those who desired but did not have doula support.

By expanding doula care across the commonwealth with an emphasis on women who have worse maternal health outcomes, we can lower clinical outcome disparities and enhance patient experiences.

This bill creates a pathway to licensure for certified professional midwives and make their care reimbursable by Medicaid/MassHealth.

Massachusetts' regressive policies when it comes to midwives are a barrier to our autonomous birthing choices, racial equity and justice, and better health outcomes for birthing people.

Midwives save lives, and it is so important that while reproductive autonomy is under threat across the country, we need structural protections to ensure midwifery self-governance, in line with national and international standards.

This bill will establish a universal postpartum home visiting program.

More than half of pregnancy related deaths occur in the postpartum period, of these deaths 36% occur in the first week of postpartum and regardless of insurance, nearly half of birthing people don't attend a postpartum visit in the recommended 6-week time frame, and we are one of the only countries in the world who do not offer home visits.

This bill provides new grant programs to grow and diversify the perinatal workforce and provides grants to community-based programs that support Perinatal Mental Health, such as support groups, perinatal SUD care, suicide prevention programs, and programs for parents facing pregnancy and infant loss.

This section of the bill directly supports a key provision of the Racial Inequities in Maternal Health Commission report to provide culturally congruent perinatal support and increased services such as group prenatal care and perinatal SUD treatment.

The last, but not least, section I will mention is that this bill directs DPH to update birth center regulations to grow birth centers in the Commonwealth – a critical part of improving maternal health outcomes for Black and Brown women and birthing people – the research is clear that care provided in community birth settings can improve maternity care quality and produce better outcomes, particularly for Black and Brown women. In the next two years we will have three neighborhood birth centers in Roxbury.

This bill directly elevates the voices of Black women and birthing people who served on the Special Commission on Racial Inequities in Maternal Health. Racism, not race, is the primary driver of poor maternal health outcomes and once again, the Senate went further in this bill to align with diverse communities and center Black women's voices.

Black and brown communities are experiencing the public health crisis of severe morbidity and mortality, and the Senate is responding by advancing a bill that is carefully designed to reduce the stark racial inequities we experience in our communities. I am immensely proud that through the collective work of community, coalitions, and colleagues, we have an opportunity to create a safe and nurturing place where all birthing people feel empowered and protected.

So, I end with saying I am incredibly proud to serve in a chamber that is tackling maternal health this session and I'm honored to work with so many of my colleagues and the Senate President to reduce racial inequities in our outcomes, to protect mothers and parents, to create healthy and thriving families, and to center equity and justice at the core of what we do.

I believe upon passage of this bill, the Senate is saying that we believe, and we will take action to ensure a future where every mother, child, family, parent regardless of race, income, gender, or zip code can safely have access to maternal and reproductive care.

When we work to save the lives of those that are most marginalized, we can save the lives of all of us – I am no longer afraid to give birth, I know that today the Senate will take up one of the most comprehensive bills in the country and make our Commonwealth a national leader.

I hope all of my colleagues will join me in supporting the bill, and I hope we can pass this bill today with a unanimous vote.

On motion of Senator Comerford, under Senate Rule 6A, the above remarks were ordered printed in the Journal of the Senate.

Ordered printed.

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 2899 and by striking out the title and inserting in place thereof the following title:- “An Act relative to increasing access to perinatal health care” and pending the main question on ordering the bill to a third reading, Ms. Lovely, Ms. Miranda, Ms. Rausch, Messrs. Fattman, O’Connor, Moore, Keenan and Collins and Ms. Edwards moved that the proposed new text be amended by inserting after section 11 the following section:-

2

“SECTION 11A. Said chapter 111, as appearing in the 2022 Official Edition, is hereby further amended by inserting after section 70H the following section:-

Section 70I. (a) The department shall establish, promote and maintain a public information program regarding congenital cytomegalovirus, which shall include information on: (i) current, evidence-based information pertaining to congenital cytomegalovirus that has been vetted by medical experts, as determined by the department; (ii) additional resources or referrals for congenital cytomegalovirus and support for families and healthcare providers; and (iii) preventative measures from contracting congenital cytomegalovirus.

(b) Healthcare providers, including, but not limited to, physician assistants, nurses, nurse-midwives and licensed certified professional midwives, that render prenatal or postnatal care shall provide expecting parents with information provided by the department under subsection (a) at said parents’ first prenatal appointment. The department shall also make such information available on the department website and to persons seeking information about congenital cytomegalovirus infection.”

After remarks, the amendment was adopted.

Ms. Lovely moved that the proposed new text be amended by inserting after section the following section:-

6

“SECTION XX. Section 2A of chapter 38 of the General Laws is hereby amended by inserting the following paragraph:-

(h) In all cases of sudden unexpected death in pediatrics when autopsy is required by law, except in cases of (1) homicide, (2) suicide or (3) established cause, the office of the chief medical examiner shall, on behalf of the parents of the deceased, engage services including, but not limited to, genetic testing and ongoing bereavement support. The office of the chief medical examiner shall refer, as close to the time of incident as possible, but no longer than three days after receipt of the decedent, any undetermined death of a child three years of age or younger to the Massachusetts center for unexpected infant and child death at Boston Medical Center for counseling and grief support. These referrals shall include any suspected case of sudden infant death syndrome, sudden unexplained infant death, sudden unexpected death in childhood, sudden unexplained death in pediatrics or any sudden child death likely to remain unexplained by standard autopsy and investigation.”

After remarks, the amendment was *rejected*.

Mr. Tarr and Ms. Rausch moved that the proposed new text be amended by inserting after the words infant at the end of line 17 the following:- “, and those who have lost a pregnancy due to a stillbirth, miscarriage, or a medical termination.”

8

After remarks, the amendment was adopted.

Mr. Crighton, Ms. Rausch, Ms. Miranda, Messrs. Payano, Gomez and Lewis, Ms. Edwards, Mr. Tarr, Ms. Jehlen and Mr. Montigny moved that the proposed new text be amended by adding the following sections:-

9

“SECTION XX. Section 47E of Chapter 175 of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following sentences:- The reimbursement for the services provided pursuant to this section shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served. An insurer may not reduce the reimbursement paid to a licensed physician in order to comply with this section.

SECTION XX. Chapter 176A of the General Laws is hereby amended by inserting after section 80O the following section:-

Section 8PP. Any contract between a subscriber and the corporation under an individual or group hospital service plan which is delivered, issued or renewed in the commonwealth shall provide as a benefit to all individual subscribers and members within the commonwealth and to all group members having a principal place of employment within the commonwealth for services rendered by a certified nurse midwife designated to engage in the practice of nurse-midwifery by the board of registration in nursing pursuant to section 80C of chapter 112; provided, however, that the following conditions are met: (1) the service rendered is within the scope of the certified nurse midwife’s authorization to practice by the board of registration in nursing; (2) the policy or contract currently provides benefits for identical services rendered by a health care provider licensed by the commonwealth; and (3) the reimbursement for the services provided shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served. An insurer may not reduce the reimbursement paid to a licensed physician in order to comply with this section.

SECTION XX. Section 4G of Chapter 176B of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following sentences:- The reimbursement for the services provided pursuant to this section shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served. An insurer may not reduce the reimbursement paid to a licensed physician in order to comply with this section.

SECTION XX. Section 4 of Chapter 176G is of the General Laws, as so appearing, is hereby amended by adding the following subsection:-

(g) services rendered by a certified nurse midwife designated to engage in the practice of nurse-midwifery by the board of registration in nursing pursuant to section 80C of chapter 112, subject to the terms of a negotiated agreement between the health maintenance organization and the provider of health care services. The reimbursement for the services provided shall be in the same amount as the reimbursement paid under the policy to a licensed physician performing the service in the area served. An insurer may not reduce the reimbursement paid to a licensed physician in order to comply with this section.”

After remarks, the amendment was adopted.

Ms. Comerford, Ms. Rausch, Ms. Miranda, Messrs. Payano, Lewis and Collins and Ms. Jehlen moved that the proposed new text be amended in section 11, by inserting after the word “nurse-midwife”, in line 101, the following words:- “, licensed certified professional midwife”.

13

The amendment was *rejected*.

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

14

“SECTION XX. Chapter 32A of the General Laws is hereby amended by inserting after section 17S the following 2 sections:-

Section 17T. The commission shall provide to any active or retired employee of the commonwealth who is insured under the group insurance commission coverage for postpartum depression screenings conducted pursuant to section 247 of chapter 111.

Section 17U. (a) The commission shall provide to any active or retired employee of the

commonwealth who is insured under the group insurance commission coverage for the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”;

In section 37, in line 487, by striking out the words “2 sections” and inserting in place thereof the following words:- “3 sections”.

In said section 37 by inserting after section 10S the following section:-

“Section 10T. (a) The division and its contracted health insurers, health plans, health maintenance organizations, behavioral health management firms and third-party administrators under contract to a Medicaid managed care organization or primary care clinician plan shall provide coverage for the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”;

In section 38, in line 505, by striking out the word “section”, the second time it appears, and inserting in place thereof the following words:- “2 sections”;

By inserting the following section:-

“SECTION XX. (a) Any policy, contract, agreement, plan or certificate of insurance

issued, delivered or renewed within the commonwealth, which is considered creditable coverage under section 1 of chapter 111M, shall provide coverage for the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”;

By adding the following section:-

“SECTION XX. (a) Any contract between a subscriber and the corporation under an individual or group hospital service plan that is delivered, issued or renewed within the commonwealth shall provide coverage for the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”;

In section 40, in line 517, by striking out the word “section”, the second time it appears, and inserting in place thereof the following words:- “2 sections”;

By adding the following section:-

“SECTION XX. (a) Any subscription certificate under an individual or group medical service agreement delivered, issued or renewed within the commonwealth, which is considered credible coverage under section 1 of chapter 111M, shall provide coverage for

the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”;

In section 41, in line 523, by striking out the word “section”, the second time it appears, and inserting in place thereof the following words:- “2 sections”; and

By adding the following section:-

“SECTION XX. (a) An individual or group health maintenance contract that is issued or renewed within or without the commonwealth shall provide coverage for the provision of medically necessary pasteurized donor human milk and donor human milk-derived products, provided that:

(i) the milk is obtained from a human milk bank that meets quality guidelines established by the department of public health;

(ii) a licensed medical practitioner has issued a written order for the provision of such human breast milk or donor human milk-derived products for the covered infant; and

(iii) the covered infant meets the following conditions:-

(1) is under the age of 6 months;

(2) is undergoing treatment in an inpatient setting for a congenital or acquired condition that places the infant at a high risk for development of necrotizing enterocolitis, or a congenital or acquired condition that may benefit from the use of such human breast milk as determined by the department of public health; and

(3) is medically or physically unable to receive maternal breast milk or participate in breastfeeding or whose mother is medically or physically unable, despite receiving lactation support, to produce maternal breast milk in sufficient quantities or caloric density.

(b) If an inpatient stay is reimbursed through a diagnosis related group or other bundled payment arrangement, the commission shall include the cost of reimbursement provided under subsection (a) of this section for donor human milk and donor human milk-derived products in the development of the reimbursement rate for such diagnosis related group or bundled payment.”

The amendment was *rejected*.

Messrs. Tarr, Lewis, Collins and Montigny and Ms. Rausch moved that the proposed new text be amended by inserting at the end the following section:-

“SECTION X. Massachusetts General Laws Chapter 111 Section 25N as appearing in the 2022 edition is hereby amended by inserting in line 8 after the word ‘treatment’ the following:- ‘, and licensed certified professional midwives as defined by Section 1 of

Chapter 94C of the general laws, as amended.’.”

After remarks, the amendment was *rejected*.

Mr. Oliveira moved that the proposed new text be amended by striking out the words, in lines 167 through 174 inclusive, and inserting in place thereof the following words:-

18

“(b) The department shall develop and maintain a comprehensive digital resource center on perinatal mood and anxiety disorders. The digital resource center shall be available to the public at no cost on the department’s website, and shall include information and resources for: (i) health care providers and organizations serving perinatal individuals and their families to aid them in diagnosing, treating or making appropriate referrals for individuals experiencing perinatal mood and anxiety disorders, including caregivers experiencing postpartum mood and anxiety disorders; (ii) perinatal individuals and their families to aid them in understanding and identifying perinatal and caregiver postpartum mood and anxiety disorders and how to navigate available resources and obtain treatment.”

The amendment was *rejected*.

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

19

“SECTION __. Section 110A of chapter 111 the General Laws is hereby amended by inserting after the word ‘cretinism’, in line 3, the following words:- ‘duchenne muscular dystrophy’;

By inserting after the word ‘screening’, in line 6, the following words:- ‘that shall convene at least biannually’; and

By inserting the following sentence:- ‘The inclusion of any disorder or disease shall be implemented not greater than 18 months after the effective date of such inclusion.’.”

The amendment was *rejected*.

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

20

“SECTION X. Notwithstanding any general or special laws to the contrary the provision of nontraditional hour childcare shall be eligible for funding through the Commonwealth Cares for Children grant program where such childcare supports those who are in the maternal care workforce as otherwise defined in this Act.”

After remarks, the amendment was *rejected*.

Ms. Rausch, Ms. Moran and Messrs. Keenan, Timilty and Eldridge moved that the proposed new text be amended in section 1 by striking out, in line 15, the word “birth” and inserting in place thereof the following words:- “end of the pregnancy”;

21

In section 2, by striking out, in line 47, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”;

In section 14, by striking out, in line 186, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”;

In section 18, by striking out, in line 396, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”;

In section 22, by striking out, in line 442, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”;

In section 23, by striking out, in line 457, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”; and

In section 24, by striking out, in line 472, the words “pregnancy loss” and inserting in place thereof the following words:- “the end of the pregnancy”.

The amendment was adopted.

Ms. Rausch, Ms. Moran, Mr. Keenan, Ms. Edwards, Mr. Gomez, Ms. Miranda, Mr. Timilty, Ms. Jehlen and Mr. Eldridge moved that the proposed new text be amended in section 14 by adding, in line 237, after the word “requirements” the following words:- “; provided, however, that a valid certified professional midwife credential from the North

25

American Registry of Midwives shall serve as a basis for licensure”.

After remarks, the amendment was adopted.

Mr. Oliveira moved that the proposed new text be amended in section 14, in line 138, by striking out the word “commonly”. 26

The amendment was adopted.

Mr. Tarr moved that the proposed new text be amended by inserting after section_ the following section:- 30

“SECTION ___. There shall be a commission on the development and deployment of maternal health supports, which shall examine particular perinatal support mechanisms to promote the mental and physical health of parents in the period extending from 12 months preceding the delivery of a child to 24 months following such delivery, provided that the commission shall identify, prioritize, examine the feasibility of, and make recommendations relative to such support mechanisms, which shall include but not be limited to transportation, dental care, peer support, and others. the commission shall consist of seven members, including the Secretary of Health and Human Services or a designee, the commissioner of the department of public health or a designee, and five members appointed by the governor, two of whom shall be doctors with experience in treating parents of newborn children, two of whom shall be members of the maternal healthcare workforce, and one of whom shall represent parents.

The commission shall file a report containing its findings, together with any legislative and regulatory recommendations, not later than March 1, 2025, with the clerks of the House and Senate.”

The amendment was *rejected*.

Ms. Rausch, Messrs. Lewis and Keenan, Ms. Edwards, Messrs. Gomez and Collins, Ms. Miranda, Mr. Timilty, Ms. Jehlen and Mr. Eldridge moved that the proposed new text be amended in section 14 by inserting after line 266 the following paragraph:- 23

“(j) Nothing in this section shall be construed to authorize the department to promulgate regulations that require a licensed midwife to practice under the supervision of or in collaboration with another health care provider.”;

In said section 14 by striking out, in line 314, the word “(g)” and inserting in place thereof the following:-

“(g) Nothing in this section shall be construed to authorize the department to promulgate regulations that require a licensed midwife to practice under the supervision of or in collaboration with another health care provider.

(h)”;

In said section 14 by striking out, in line 332, the word “(h)” and inserting in place thereof the following:- (i).”

After remarks, the amendment was adopted.

Ms. Rausch, Mr. Payano, Ms. Moran, Messrs. Gomez, Lewis, Keenan and Collins, Ms. Miranda, Mr. Timilty, Ms. Jehlen and Mr. Eldridge moved that the proposed new text be amended in section 14, in proposed section 249 of chapter 111 of the General Laws, by adding the following subsection:- 22

“(j) When making determinations pursuant to this section, including, but not limited to, promulgating rules and regulations, the department shall directly engage not less than 5 licensed certified professional midwives, each of whom shall have not less than 5 years of experience in the practice of midwifery, in the decision-making process.”;

In said section 14, by inserting after the word “midwife”, in line 269, the following words:- “; provided, however, that in designating controlled substances under this subsection, the department shall directly engage not less than 5 licensed certified professional midwives, each of whom shall have not less than 5 years of experience in the practice of midwifery.”;

In said section 14, in proposed section 251 of chapter 111 of the General Laws, by adding the following subsection:-

“(i) When making determinations pursuant to this section, including, but not limited to, establishing rules, prescribing formats and developing standards, the department shall directly engage not less than 5 licensed certified professional midwives, each of whom shall have not less than 5 years of experience in the practice of midwifery, in the decision-making process.”; and

By inserting after section 25 the following section:-

“SECTION 25A. Notwithstanding any general or special law to the contrary, the initial midwifery engagements pursuant to sections 249, 250 and 251 of chapter 111 of the General Laws, inserted by section 14, shall be certified professional midwives, each of whom shall: (i) have not less than 5 years of experience in the practice of midwifery; and (ii) hold a certificate of completion or equivalent from an educational program or institution accredited by the Midwifery Education Accreditation Council.”

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new text be amended in section 14, by inserting after the word “to”, in line 330, the following words:- “members of”.

12

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 ten minutes before seven o’clock P.M., on motion of Mr. Rodrigues, as follows, to wit (yeas 40 – nays 0) [Yeas and Nays No. 226]

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. | Spilka, Karen E. |
| Gomez, Adam | Tarr, Bruce E. |
| Jehlen, Patricia D. | Timilty, Walter F. |
| Keenan, John F. | Velis, John C. – 40. |

NAYS – 0.

The yeas and nays having been completed at four minutes before seven 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. 2928].

Sent to the House for concurrence in the amendment.

PAPER FROM THE HOUSE.

The Senate Bill authorizing the city known as the town of Barnstable to change the use of a portion of a certain parcel of land within Mother's Park (Senate, No. 2720),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place there of the text of House document numbered 4829.

Barnstable,-- land.

The rules were suspended, on motion of Mr. Cyr, and the House amendment was considered forthwith and adopted, in concurrence.

Matters Taken out of the Notice Section of the Calendar.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered as follows:

The Senate Bill authorizing the town of Andover to convey a non-exclusive access easement over a certain parcel of land (Senate, No. 2784),-- was read a third time.

Andover,-- land access easement.

Pending the question on passing the bill to be engrossed, Mr. Finegold offered an amendment substituting a new draft with the same title (Senate, No. 2913).

The amendment was adopted.

The bill, Senate, No. 2913, was then passed to be engrossed.

Sent to the House for concurrence.

The House Bill authorizing the town of Nantucket to convey certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank (House, No. 4646) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Nantucket,-- land.

The House Bill authorizing the town of Nantucket to convey a certain parcel of land acquired for park purposes to the Nantucket Conservation Foundation Inc. (House, No. 4645) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Id.

PAPER FROM THE HOUSE

Order.

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

Ordered, That notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Tuesday, December 31, 2024 within which time to make its final report on current House document numbered 4590.

Public Service,-- extension order.

The rules were suspended, on motion of Mr. Brady, and, after remarks, the order (House, No. 4814) was considered forthwith; and, was adopted, in concurrence.

Matters Taken out of the Notice Section of the Calendar.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered as follows:

The House Bill authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford (House, No. 4140),-- was read a third time.

Westford,-- land.

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

the bill by striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2914.

The amendment was adopted.

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

Sent to the House for concurrence in the amendment.

The Senate Bill authorizing the town of Nantucket to convey for roadway and any other purposes certain parcels of land within the roadway known as Ames Avenue, and shown as lots 35-38 (inclusive) in block 31 on land court plan no. 2408-m filed with the Nantucket registry district of the land court situated in the town of Nantucket held for conservation or recreational purposes to be conveyed for roadway and/or any purposes (Senate, No. 2417),-- was read a third time.

Nantucket,-- land conveyance.

Pending the question on passing the bill to be engrossed, Mr. Cyr offered an amendment substituting a new draft with the same title (Senate, No. 2915).

The amendment was adopted.

The bill, Senate, No. 2915, was then passed to be engrossed.

Sent to the House for concurrence.

Recess.

At two minutes before eight o'clock P.M., the Chair (Mr. Brownsberger) declared a recess until the following day at eleven o'clock A.M.

Wednesday, July 31, 2024
[being the legislative session of Tuesday, July 30, 2024.]

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

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

Pledge of allegiance.

Distinguished Guests.

There being no objection, the following guests were introduced:

The Chair (Mr. Brownsberger) handed the gavel to Mr. Timilty for the purpose of an introduction. Mr. Timilty then introduced, on the Rostrum, David, Linda and Adam Murray of Milton. The Murray family was being recognized in celebration of the memory of their daughter, Cassidy, who tragically passed away in 2022 at the age of 13, as a result of a boating accident while on a family vacation in Aruba. The family was also recognized for having founded the Cassidy Murray Foundation, which increases access to mental health resources for families and individuals, including trauma and grief therapy, to help others who have lost a loved one suddenly and unexpectedly. The Senate applauded their advocacy in of implementing critical safety reforms in Aruba, they were presented with a Senate Resolutions, signed the guestbook and withdrew from the Chamber.

Murray family.

The Chair (Mr. Brownsberger) handed the gavel to Mr. Pacheco for the purpose of an introduction. Mr. Pacheco then introduced, in the rear of the Chamber, Massachusetts Dynamites 14U Fast Pitch softball team. The team was recognized for winning the USA Softball 14U Eastern National Championship, held in Loudoun County, Virginia from July 18th to July 21st 2024. The Dynamites competed against teams from up and down the east coast and compiled a record of 7 wins, 1 loss and a tie in securing the programs first national title. The team was led by Coach and Bristol County Register of Probate Thomas Hoyer, and they were accompanied by Representatives Doherty of Taunton, Haddad of Somerset and Orall of Lakeville.

MA Dynamites 14U Fast Pitch softball team.

Communications.

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

Communication from the Honorable Michael O. Moore, in compliance with Massachusetts General Laws Chapter 268A (received in the Office of the Clerk of the Senate on Thursday, August 1, 2024, at four o'clock A.M.);

Senator Michael O. Moore,-- Chapter 268A.

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

Senator Ryan C. Fattman.

July 30, 2024

To: The Honorable Clerk of the Massachusetts Senate, Michael D. Hurley
Re: Clarification on H4750

Dear Mr. Clerk:

UNCORRECTED PROOF.

I am writing today regarding my vote on H.4750 *An Act to ensure legal parentage equality*, which was engrossed in the Senate. I supported the bill as it importantly addresses gaps in the law concerning the status of parents who use methods such as IVF, artificial insemination, and adoption. Additionally, I support the bill's goal in making sure that every parent, regardless of sex or marital status, retains their parental rights.

However, while I agree with the foundational purpose of the bill, I am against and have grave concerns with the replacement of existing statutory language amended by sections 6, 16, 17, 19, and 20 of the bill. In addition to this, I opposed amendments #1 and #2 to S.2906 *An Act to ensure legal parentage equality*, and request that this be written into the Senate record.

Thank you for your attention to this matter.

Sincerely,

Ryan C. Fattman
State Senator
Worcester & Hampden

THE COMMONWEALTH OF MASSACHUSETTS
MASSACHUSETTS SENATE

Senator Peter J.
Durant.

July 30, 2024

To: The Honorable Clerk of the Massachusetts Senate, Michael D. Hurley
Re: Clarification on H4750

Dear Mr. Clerk:

I am writing today regarding my vote on H.4750 *An Act to ensure legal parentage equality*, which was engrossed in the Senate. I supported the bill as it importantly addresses gaps in the law concerning the status of parents who use methods such as IVF, artificial insemination, and adoption. Additionally, I support the bill's goal in making sure that every parent, regardless of sex or marital status, retains their parental rights.

I am against and have grave concerns with the replacement of statutory language amended by sections 6, 16, 17, 19, and 20 of the bill. In addition to this, I opposed amendments #1 and #2 to S.2906 *An Act to ensure legal parentage equality*, and request that this be written into the Senate record.

Our role as legislators is to evaluate the entire bill and decide if the positives outweigh the negatives. In this case, the bill accomplished that goal. It addressed numerous real-world issues, and while there were sections I disagreed with, it didn't justify discarding the entire bill.

Thank you for your attention to this matter.

Sincerely,
Peter J. Durant
State Senator
Worcester & Hampshire District

PAPERS FROM THE HOUSE.

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

UNCORRECTED PROOF.

Petition (accompanied by bill, House, No. 4950) of Andres X. Vargas (with the approval of the mayor and city council) for legislation to authorize Brian Dacey to take the civil service examination for the position of police officer in the city of Haverhill, notwithstanding the maximum age requirement;

Haverhill,-- Brian Dacey.

Petition (accompanied by bill, House, No. 4951) of Andres X. Vargas (with the approval of the mayor and city council) for legislation to authorize Dante Perella to take the civil service examination for the position of police officer in the city of Haverhill, notwithstanding the maximum age requirement;

Haverhill,-- Dante Perella.

Petition (accompanied by bill, House, No. 4952) of Andres X. Vargas (with the approval of the mayor and city council) for legislation to authorize Jason Restituyo to take the civil service examination for the position of police officer in the city of Haverhill, notwithstanding the maximum age requirement; and

Haverhill,-- Jason Restituyo.

Petition (accompanied by bill, House, No. 4953) of Andres X. Vargas (with the approval of the mayor and city council) for legislation to authorize Michael E. Jarvis, Jr. to take the civil service examination for the position of firefighter in the city of Haverhill, notwithstanding the maximum age requirement;

Haverhill,-- Michael E. Jarvis, Jr.

Severally to the committee on Public Service.

Resolutions.

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

Resolutions (filed by Mr. Timilty) "honoring the memory of Cassidy Murray."

Cassidy Murray.

PAPER FROM THE HOUSE.

A petition (accompanied by bill, House, No. 4954) of Mark C. Montigny, Antonio F. D. Cabral and Christopher Hendricks that a pedestrian overpass spanning state Route 18 in the city of New Bedford be designated as the Andre Lopes Korean War veteran overpass,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Transportation.**

New Bedford,--
Andre Lopes
Korean War
Veteran overpass.

Reports of a Committee.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill authorizing the reorientation of the parcel of land occupied by Riverside Boat Club of Cambridge (Senate, No. 1991),-- ought to pass with an amendment substituting a new draft entitled:- "An Act authorizing the reorientation and further lease of a parcel of land occupied by Riverside Boat Club of Cambridge" (Senate, No. 2923).

Cambridge,--
Riverside Boat
Club.

There being no objection, the rules were suspended, on motion of Ms. Moran, and the bill was read a second time and was amended, as recommended by the committee on Ways and Means.

The bill (Senate, No. 2923) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

By Mr. Rodrigues, for the committee on Ways and Means, that the Senate Bill to promote nature-based approaches for resiliency and climate change adaptation throughout the Commonwealth (Senate, No. 458),-- ought to pass with an amendment substituting a new draft with the same title (Senate, No. 2922).

Climate change,--
nature-based
approaches.

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

The bill (Senate, No. 2922) was then ordered to a third reading.

Matters Taken Out of the Notice Section of the Calendar.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered as follows:

The Senate Bill authorizing the town of Tewksbury to convert a certain parcel of land to general recreational purposes (Senate, No. 2819),-- was read a third time.

Tewksbury,-- parcel of land.

Pending the question on passing the bill to be engrossed, Mr. Finegold offered an amendment substituting a new draft with the same title (Senate, No. 2916).

The amendment was adopted.

The bill(Senate, No. 2819) was then passed to be engrossed. Sent to the House for concurrence.

The House Bill authorizing the city of Springfield to continue the employment of police officer Lawrence E. Akers (House, No. 4768),-- **was read a third time and passed to be engrossed, in concurrence.**

Springfield,-- Lawrence E. Akers.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Brookline to convey a parcel of land to the Pierce School Building Committee to install subsurface geothermal wells (House, No. 4944,-- on House, No. 4723) [Local approval received on House, No. 4723],-- was read.

Brookline,-- land.

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

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 Labor and Workforce Development be granted until Wednesday, July 31, 2024 within which time to make its final report on current House document numbered 1916.

Labor and Workforce Development,-- extension order.

The rules were suspended, on motion of Ms. Jehlen, and, after remarks, the order (House, No. 4547) 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, July 31, 2024 within which time to make its final report on current Senate documents numbered 1148, 1158 and 1224, and House document numbered 1868.

Id.

The rules were suspended, on motion of Ms. Jehlen, and the order (House, No. 4548) 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, July 31, 2024 within which time to make its final report on current Senate documents numbered 1163, 1164, 1195, 1200 and 1208, and House documents numbered 1839, 1857, 1870, 1873, 1875, 1878, 1891, 1892, 1911, 1925 and 1945.

Id.

The rules were suspended, on motion of Ms. Jehlen, and the order (House, No. 4663) 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 Monday, June 10, 2024 within which

Id.

time to make its final report on current Senate documents numbered 1161 and 1216.

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

Pending the question on adoption of the order, Ms. Jehlen offered an amendment in line 2 by striking out the words “Monday, June 10, 2024” and inserting in place thereof the following words:- “Wednesday, July 31, 2024”.

The amendment was adopted.

**The order (House, No. 4549), as amended, was then adopted.
Sent to the House for concurrence in the amendment.**

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Labor and Workforce Development be granted until Monday, June 10, 2024 within which time to make its final report on current House document numbered 1846.

Id.

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

Pending the question on adoption of the order, Ms. Jehlen offered an amendment in line 2 by striking out the words “Monday, June 10, 2024” and inserting in place thereof the following words:- “Wednesday, July 31, 2024”.

The amendment was adopted.

**The order (House, No. 4550), as amended, was then adopted.
Sent to the House for concurrence in the amendment.**

Engrossed Bill—Land Taking for Conservation Etc.

An engrossed Bill authorizing the town of Eastham to convey a conservation restriction on a certain parcel of land to the Eastham Conservation Foundation, Inc. (see House, No. 4012, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-four minutes before twelve o'clock noon, as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 227**]:

Eastham,-- land.

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. |

UNCORRECTED PROOF.

Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.

Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

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

The House Bill authorizing the town of Canton to grant temporary and permanent easements over certain conservation land situated in the town of Stoughton for highway purposes (House, No. 3937, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendments striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2897; by striking out the title and inserting in place thereof the following title: "An Act authorizing the town of Canton to grant temporary and permanent easements over certain conservation land situated in the town of Stoughton for highway purposes"; and by inserting before the enacting clause the following emergency preamble:

Canton/Stoughton,--
easements.

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the town of Canton to grant certain easements to the commonwealth for highway purposes, therefore, it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.", with a further amendment by striking out all after the enacting clause inserted by the Senate and inserting in place thereof the text contained in House document numbered 4948.

The rules were suspended, on motion of Mr. Tarr, and the further House amendment was considered forthwith and adopted, as corrected by Bills in the Third Reading, in concurrence.

Recess.

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

Recess.

PAPERS FROM THE HOUSE.

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2921; and by striking out the title and inserting in place thereof the following title: "An Act relative to accessing harm reduction initiatives.", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Madarao of Boston, Peisch of Wellesley and Soter of Bellingham had been appointed the committee on the part of the House.

Substance use
disorder,--
treatments.

On motion of Mr. Tarr, the Senate insisted on its amendment and the matter was temporarily laid aside.

The House Bill to ensure legal parentage equality (House, No. 4750),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2912, and had asked for a committee of conference on the

Parentage,--
equality.

disagreeing votes of the two branches; and that Representatives Day of Stoneham, Hogan of Stow and Kane of Shrewsbury had been appointed the committee on the part of the House.

On motion of Mr. Eldridge, the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Cyr, Brownsberger and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill authorizing the town of Brookline to change the use of a certain parcel of land for the installation of subsurface geothermal wells (House, No. 4944) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Brookline,-- land.

PAPERS FROM THE HOUSE.

A Bill authorizing the town of Orange to convey certain parcels of land in the town of Orange (House, No. 4882,-- on petition) [Local approval received],-- was read.

Orange,-- land.

There being no objection, the rules were suspended, on motion of Ms. Comerford and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act authorizing the town of Orange to convey a certain parcels of land.”

A Bill authorizing the county of Nantucket to convey certain parcels of land in the town and county of Nantucket to the town of Nantucket (House, No. 4938,-- on House, No. 4120) [Local approval received on House, No. 4120],-- was read.

Nantucket,-- land.

There being no objection, the rules were suspended, on motion of Mr. Cyr and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence, its title having been changed by the committee on Bills in the Third Reading to read as follows:- “An Act authorizing the county of Nantucket to convey certain parcels of land to the town of Nantucket.”

A Bill authorizing the Massachusetts Department of Transportation to convey a certain parcel of land in the city of Pittsfield (House, No. 4939,-- on House, No. 4174),-- was read.

Pittsfield,-- land.

There being no objection, the rules were suspended, on motion of Mr. Mark, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land to the city of Lowell (see House, No. 4700, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 10 to 0.

Lowell,-- land.

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

Engrossed Bill.

An engrossed Bill criminalizing sexual assault by fraud of a medical professional (see House, No. 4350, amended) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.**

Bill laid before the Governor.

Report of a Committee.

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

The House Bill relative to the Auburn Water District (House, No. 2049).

Auburn Water District.

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

Matters Taken out of the Notice Section of the Calendar.

There being no objection, the following matters were taken out of the Notice Section of the Calendar and considered as follows:

The House Bill authorizing the division of capital asset management and maintenance to convey certain land in the town of Lancaster to Robert F. Kennedy Community Alliance, Inc. (House, No. 4795) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Lancaster,-- land.

The House Bill authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land in the town of Lancaster (House, No. 4701) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and passed to be engrossed, in concurrence.**

Id.

Report of a Committee.

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

The Senate Bill eliminating the statute of limitation in civil child sexual abuse cases (Senate, No. 2853) (the committee on Rules having recommended that the bill be amended by substituting a new draft with the same title (Senate, No. 2932).

Sexual abuse,-- children.

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

After remarks, the bill (Senate, No. 2932) was then ordered to a third reading, read a third time and passed to be engrossed.

Sent to the House for concurrence.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill to increase kennel safety, aka Ollie's Law (House, No. 4919),-- was read a third time.

Kennel safety.

Pending the question on passing the bill to be engrossed, Mr. Oliveira offered an amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2929.

UNCORRECTED PROOF.

The amendment was adopted.

After remarks, the question on passing the bill to be engrossed was determined by a call of the yeas and nays at twenty-two minutes before six o'clock P.M., on motion of Mr. Oliveira, as follows, to wit (yeas 39 – nays 0) **[Yeas and Nays No. 228]:**

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 seventeen minutes before six o'clock P.M., the bill was passed to be engrossed, in concurrence, with the amendment. Sent to the House for concurrence in the amendment.

PAPERS FROM THE HOUSE

Engrossed Bills—Land Taking for Conservation Etc.

An engrossed Bill authorizing the change of use of a certain parcel of park land in the town of Cohasset (see House, No. 4037, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at sixteen minutes before six o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 229]:**

Cohasset,-- land.

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.

UNCORRECTED PROOF.

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.

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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **39.**

NAYS – 0.

The yeas and nays having been completed at thirteen minutes before six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.

An engrossed Bill authorizing the conservation commission of the town of Westford to transfer certain easements to the select board of the town of Westford (see House, No. 4140, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twelve minutes before six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 230**]:

Westford,-- land.

YEAS.

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

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **39.**

NAYS – 0.

The yeas and nays having been completed at nine minutes before six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.

An engrossed Bill authorizing the town of Nantucket to convey a certain parcel of land acquired for park purposes to the Nantucket Conservation Foundation Inc. (see House, No. 4645) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at eight minutes before six o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 231]:

Nantucket,-- land.

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 four minutes before six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.

An engrossed Bill authorizing the town of Nantucket to convey certain land situated in the town of Nantucket held for open space, recreational or conservation purposes to the Nantucket Islands Land Bank (see House, No. 4646) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at three minutes before six o'clock P.M., as follows, to wit

Id.

(yeas 39 - nays 0) [Yeas and Nays No. 232]:

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 two minutes before six o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation.

Matter Taken out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill regulating the use of elephants, big cats, primates, giraffes and bears in traveling exhibits and shows (House, No. 4915) (its title having been changed by the committee on Bills in the Third Reading),-- **was read a third time and, after remarks, passed to be engrossed, in concurrence.**

Traveling shows,--
use of animals.

Recess.

There being no objection, at sixteen minutes before seven o'clock P.M., the Chair (Mr. Brownsberger) declared a recess, subject to the call of the Chair; and, at two minutes before eight o'clock P.M., the Senate reassembled, Mr. Brownsberger in the Chair.

Recess.

Suspension of Senate Rule 38A.

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

Senate Rule 38A.

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land in the town of Lancaster (see House, No. 4701), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 5 to 0.

Lancaster,-- land.

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

An engrossed Bill authorizing the division of capital asset management and maintenance to convey certain land in the town of Lancaster to Robert F. Kennedy Community Alliance, Inc. (see House, No. 4795), 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 6 to 0.

Id.

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

An engrossed Bill authorizing the Massachusetts Department of Transportation to convey a certain parcel of land in the city of Pittsfield (see House, No. 4939), 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.

Pittsfield,-- land.

The bill was signed by the Acting President (Mr. Brownsberger) 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 (Mr. Brownsberger) and laid before the Governor for her approbation, to wit:

Authorizing the commissioner of Capital Asset Management and Maintenance to convey certain parcels of land to the city of Lowell (see House, No. 4700, amended);

Bills laid before the Governor.

Authorizing the city of Springfield to continue the employment of police officer Lawrence E. Akers (see House, No. 4768); and

Regulating the use of elephants, big cats, primates, giraffes and bears in traveling exhibits and shows (see House, No. 4915).

Emergency Preamble Adopted.

An engrossed Bill authorizing the town of Canton to grant temporary and permanent easements over certain conservation land situated in the town of Stoughton for highway purposes (see House, No. 3937, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 3 to 0.

Canton/Stoughton,-- easements.

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

House for enactment.

Engrossed Bills.

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

Authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land in the town of Lancaster (see House, No. 4701); and

Bills laid before the Governor.

Authorizing the division of capital asset management and maintenance to convey certain land in the town of Lancaster to Robert F. Kennedy Community Alliance, Inc. (see House, No. 4795).

The House Bill promoting access to midwifery care and out-of-hospital birth options (House, No. 4785),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered. 2928; and by striking out the title and inserting in place thereof the following title: "An Act relative to increasing access to perinatal health care", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representative Decker of Cambridge, Michael Moran of Boston and Ferguson of Holden have been appointed to the committee on the part of the House.

Midwifery care,-- access.

On motion of Ms. Friedman the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Friedman, Miranda and O'Connor were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

The House Bill relative to treatments and coverage for substance use disorder and recovery coach licensure (House, No. 4758),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate, document numbered 2921; and by striking out the title and inserting in place thereof the following title: "An Act relative to accessing harm reduction initiatives", and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Madaro of Boston, Peisch of Wellsley and Soter of Bellingham have been appointed to the committee on the part of the House.

Substance use disorder,-- treatments.

On motion of Mr. Eldridge the Senate insisted on its amendment and concurred in the appointment of a committee of conference; and Senators Crighton, Velis and Fattman were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

The House Bill authorizing additional licenses for the sale of alcoholic beverages to be drunk on the premises in the city of Boston (House, No. 4696),-- came from the House with the endorsement that the House had NON-concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2903, and had asked for a committee of conference on the disagreeing votes of the two branches; and that Representatives Michael Moran of Boston, Ryan of Boston and Ferguson of Holden have been appointed to the committee on the part of the House.

Boston,-- liquor licenses.

On motion of Ms. Miranda the Senate insisted on its amendment and concurred

in the appointment of a committee of conference; and Senators Brownsberger, Collins and Tarr were appointed on the part of the Senate.

The bill was returned to the House endorsed accordingly.

Report of a Committee.

By Mr. Collins, for the committee on State Administration and Regulatory Oversight, on Senate, No. 2892, a Bill providing for the disposition of certain property in the town of Upton (Senate, No. 2933),-- was read.

Upton,-- disposition of certain property.

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

Sent to the House for concurrence.

Matter Taken Out of the Notice Section of the Calendar.

There being no objection, the following matter was taken out of the Notice Section of the Calendar and considered as follows:

The House Bill relative to the Auburn Water District (House, No. 2049),-- was read a third time.

Auburn Water District.

Mr. Tarr, for the committee on Bills in the Third Reading, reported, asking to be discharged from further consideration of the matter.

The report was accepted.

The bill was then passed to be engrossed, in concurrence.

PAPERS FROM THE HOUSE.

Ms. Comerford in the Chair, a Bill authorizing the commissioner of capital asset management and maintenance to issue a confirmatory deed for a certain parcel of land in the city of Marlborough (House, No. 4943,-- on House, No. 4864),-- was read.

Marlborough,-- land.

There being no objection, the rules were suspended, on motion of Ms. Lovely, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Emergency Preamble Adopted.

An engrossed Bill authorizing the commissioner of capital asset management and maintenance to issue a confirmatory deed for a certain parcel of land in the city of Marlborough (see House, No. 4943), 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 6 to 0.

Id.

The bill was signed by the Acting President (Ms. Comerford) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and sent to the House for enactment.

Engrossed Bills—Land Taking for Conservation Etc.

An engrossed Bill authorizing the town of Andover to convey a non-exclusive access easement over a certain parcel of land (see Senate, No. 2913) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII

Andover,-- land.

UNCORRECTED PROOF.

of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at ten minutes past ten o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 233]:**

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 seventeen minutes past ten o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) and laid before the Governor for her approbation.

An engrossed Bill authorizing the town of Nantucket to convey certain parcels of land held for conservation or recreation purposes (see Senate, No. 2915) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-two minutes past ten o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 234]:**

Nantucket,-- land.

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.

UNCORRECTED PROOF.

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.

Oliveira, Jacob R.
Pacheco, Marc R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-four minutes past ten o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) and laid before the Governor for her approbation.

An engrossed Bill authorizing the town of Orange to convey certain parcels of land (see House, No. 4882) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-five minutes past ten o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 235]:**

Orange,-- land.

YEAS.

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

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-nine minutes past ten o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford)

and laid before the Governor for her approbation.

Canton,-- land.

An engrossed Bill authorizing the town of Canton to grant temporary and permanent easements over certain conservation land situated in the town of Stoughton for highway purposes (see House, No. 3937, amended) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at a half past ten o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 236]:

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 twenty-nine minutes before eleven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) and laid before the Governor for her approbation.

Nantucket,-- land.

An engrossed Bill authorizing the county of Nantucket to convey certain parcels of land to the town of Nantucket (see House, No. 4938) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-eight minutes before eleven o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 237]:

YEAS.

- | | |
|---------------------|--------------------|
| Barrett, Michael J. | Kennedy, Edward J. |
| Brady, Michael D. | Kennedy, Robyn K. |

Brownsberger, William N.
 Collins, Nick
 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.

Lewis, Jason M.
 Lovely, Joan B.
 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.
 Tarr, Bruce E.
 Timilty, Walter F.
 Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-six minutes before eleven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) and laid before the Governor for her approbation.

An engrossed Bill authorizing the Massachusetts Department of Transportation to convey a certain parcel of land in the city of Pittsfield (see House, No. 4939) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-five minutes before eleven o'clock P.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 238]:**

Pittsfield,-- land.

YEAS.

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

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

UNCORRECTED PROOF.

Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.

Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **39.**

NAYS – 0.

The yeas and nays having been completed at twenty-four minutes before eleven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) and laid before the Governor for her approbation.

An engrossed Bill authorizing the town of Brookline to change the use of a certain parcel of land for the installation of subsurface geothermal wells (see House, No. 4944) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-three minutes before eleven o'clock P.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 239**]:

Brookline,-- land.

YEAS.

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

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – **39.**

NAYS – 0.

The yeas and nays having been completed at twenty-one minutes before eleven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Creem) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation.

An engrossed Bill authorizing the commissioner of capital asset management and maintenance to issue a confirmatory deed for a certain parcel of land in the city of Marlborough (see House, No. 4943) (which originated in the House), having been certified

Marlborough,--
land.

by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty minutes before eleven o'clock P.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 240]:

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 eighteen minutes before eleven o'clock P.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Ms. Comerford) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation.

Recess.

There being no objection, at fourteen minutes before eleven o'clock P.M., the Chair (Ms. Comerford) declared a recess, subject to the call of the Chair; and at seventeen minutes before twelve o'clock midnight, the Senate reassembled, Mr. Collins in the Chair.

Recess.

PAPER FROM THE HOUSE.

The Senate Bill authorizing the city of New Bedford to grant a utility easement to the University of Massachusetts at Dartmouth (Senate, No. 2894),-- came from the House passed to be engrossed, in concurrence *with an amendment* striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4962.

New Bedford,--
land.

The rules were suspended, on motion of Mr. Pacheco, and the House amendment was considered forthwith and adopted, in concurrence.

Suspension of Senate Rule 38A½.

UNCORRECTED PROOF.

Ms. Creem moved that Senate Rule 38A ½ be suspended to allow the Senate to meet beyond the hour of 12:00 midnight, until two o'clock A.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Senate Rules 38A½.

PAPERS FROM THE HOUSE.

Mr. Brownsberger in the Chair, the Senate Bill authorizing the release of certain parcels of land in the town of Raynham from certain agricultural preservation restrictions and certain recreational use restrictions (Senate, No. 2901),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4968.

Raynham,-- land.

The rules were suspended, on motion of Mr. Pacheco, and the House amendment was considered forthwith and adopted, in concurrence.

A Bill providing for improvements to the metropolitan water supply system (House, No. 4967,-- on House, No. 4861),-- was read.

Metropolitan water supply.

There being no objection, the rules were suspended, on motion of Mr. Barrett, and the bill was read a second time, ordered to a third reading, read a third time and passed to be engrossed, in concurrence.

Suspension of Senate Rule 38A ½.

Mr. Eldridge moved that Senate Rule 38A ½ be suspended to allow the Senate to meet beyond the hour of 12:00 midnight, until a half past two o'clock A.M.; and the same Senator requested unanimous consent that the rules be suspended without a call of the yeas and nays. There being no objection, the motion was considered forthwith, and it was adopted.

Senate Rule 38A ½.

PAPERS FROM THE HOUSE

Emergency Preamble Adopted.

An engrossed Bill authorizing the release of certain parcels of land in the town of Raynham from certain agricultural preservation restrictions and certain recreational use restrictions (see Senate, No. 2901, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 7 to 0.

Raynham,-- land.

The bill was signed by the Acting President (Mr. Brownsberger) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and sent to the House for enactment.

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill to ensure legal parentage equality (House, No. 4750) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2912),-- reported a "Bill to ensure legal parentage equality" (House, No. 4970), -- came from the House, and was read.

Parentage equality.

The rules were suspended, on motion of Mr. Cyr, and, after remarks, the report was accepted, in concurrence.

Suspension of Senate Rule 38A ½.

Senate Rule 38A ½.

Mr. xxxx moved that Senate Rule 38A½ be suspended to allow the Senate to meet beyond the hour of 12:00 midnight.

The question on adoption of the motion was determined by a call of the yeas and nays at twenty-eight minutes before three o'clock A.M., as follows, to wit (yeas 34 – nays 4) [Yeas and Nays No. 241]:

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. |
| Edwards, Lydia | Oliveira, Jacob R. |
| Eldridge, James B. | Pacheco, Marc R. |
| Feeney, Paul R. | Payano, Pavel M. |
| Finegold, Barry R. | Rodrigues, Michael J. |
| Friedman, Cindy F. | Rush, Michael F. |
| Gomez, Adam | Timilty, Walter F. |
| Jehlen, Patricia D. | Velis, John C. – 34. |

NAYS.

- | | |
|------------------|---------------------|
| Durant, Peter J. | Keenan, John F. |
| Fattman, Ryan C. | Tarr, Bruce E. – 4. |

ANSWERED “PRESENT”.

- Rausch, Rebecca L. (*present*) – 1.

The yeas and nays having been completed at ten minutes before three o'clock A.M., the motion prevailed.

PAPERS FROM THE HOUSE

Engrossed Bill.

An engrossed Bill to ensure legal parentage equality (see House, No. 4970) (which originated in the House), **having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was passed to be enacted and signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation on Thursday, August 1, 2024.**

Bill laid before the Governor.

Emergency Preamble Adopted.

Mr. Cyr in the Chair, an engrossed Bill authorizing the city of New Bedford to grant a utility easement to the University of Massachusetts at Dartmouth (see Senate, No. 2894, amended), having been certified by the Senate Clerk to be rightly and truly prepared for final passage and containing an emergency preamble,-- was laid before the Senate; and, a separate vote being taken in accordance with the requirements of Article LXVII of the Amendments to the Constitution, the preamble was adopted in concurrence, by a vote of 8

New Bedford,-- land.

to 0.

The bill was signed by the Acting President (Mr. Cyr) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and sent to the House for enactment.

The Senate Bill authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield (Senate, No. 2893), - came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4974.

Westfield,-- land.

The rules were suspended, on motion of Ms. Edwards, and the House amendment was considered forthwith and adopted, in concurrence.

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill honoring, empowering, and recognizing our servicemembers and veterans (House, No. 4671) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2817),-- reported, a "Bill honoring, empowering, and recognizing our servicemembers and veterans" (House, No. 4976), -- came from the House, and was read.

Veterans and servicemembers.

The rules were suspended, on motion of Mr. Velis, and, after remarks, the report was accepted, in concurrence.

Engrossed Bills—Land Taking for Conservation Etc.

An engrossed Bill authorizing the release of certain parcels of land in the town of Raynham from certain agricultural preservation restrictions and certain recreational use restrictions (see Senate, No. 2901, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty minutes past seven o'clock A.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 242**]:

Raynham,-- land.

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.
Friedman, Cindy F.
Gomez, Adam
Jehlen, Patricia D.
Keenan, John F.

Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-three minutes past seven o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Pacehco) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation on Thursday, August 1, 2024.

An engrossed Bill providing for improvements to the metropolitan water supply system (see House, No. 4967) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-six minutes past seven o'clock A.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 243]:

Metropolitan water supply.

YEAS.

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

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at twenty-eight minutes past seven o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Cyr) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Barnstable,-- land.

An engrossed Bill authorizing the city known as the town of Barnstable to change the use of a portion of a certain parcel of land within Mother’s Park (see Senate, No. 2720, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-nine minutes past seven o’clock A.M., as follows, to wit (yeas 39 - nays 0) [Yeas and Nays No. 244]:

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 twenty-nine minutes before eight o’clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Cyr) and laid before the Governor for her approbation on Thursday, August 1, 2024.

The Senate Bill providing for the disposition of certain property in the town of Upton (Senate, No. 2933),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4978.

Upton,-- disposition of certain property.

The rules were suspended, on motion of Mr. Eldridge, and the House amendment was considered forthwith and adopted, in concurrence.

The Senate Bill relative to the reduction of certain toxic chemicals in firefighter personal protective equipment (Senate, No. 2902),-- came from the House passed to be engrossed, in concurrence *with an amendment*, striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 4975.

Firefighter PPE,-- toxic chemical reduction.

The rules were suspended, on motion of Mr. Timilty, and the House amendment

was considered forthwith and adopted, in concurrence.

Emergency Preamble Adopted; Engrossed Bill Enacted.

An engrossed Bill honoring, empowering, and recognizing our servicemembers and veterans (see House, No. 4976), 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 11 to 0.

Veterans and servicemembers.

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

Subsequently, the bill, which originated in the House, came from the House with the endorsement that it had been enacted in that branch.

The Senate then passed the bill to be enacted; and it was signed by the Acting President (Mr. Cyr) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Committee of Conference Report.

A report of the committee of conference of the disagreeing votes of the two branches, with reference to the Senate amendments to the House Bill relative to the Affordable Homes Act (House, No. 4726) (*amended by the Senate* by striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2834),-- reported a "Bill relative to the Affordable Homes Act" (House, No. 4977), -- came from the House, and was read.

Affordable Homes Act.

The rules were suspended, on motion of Mr. Brownsberger, and, after remarks, the report was accepted, in concurrence.

Engrossed Bills—Land Taking for Conservation Etc.

Mr. Brownsberger in the Chair, an engrossed Bill authorizing the commissioner of capital asset management and maintenance to convey certain parcels of land to the city of Westfield (see Senate, No. 2893, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at fourteen minutes before nine o'clock A.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 245]:**

Westfield,-- land.

YEAS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Durant, Peter J.

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
Mark, Paul W.
Miranda, Liz
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Oliveira, Jacob R.

UNCORRECTED PROOF.

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.

Pacheco, Marc R.
Payano, Pavel M.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at eleven minutes before nine o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) (having been appointed by the President, under authority conferred by Senate Rule 4, to perform the duties of the Chair) and laid before the Governor for her approbation on Thursday, August 1, 2024.

An engrossed Bill providing for the disposition of certain property in the town of Upton (see Senate, No. 2933, amended) (which originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at ten minutes before nine o'clock A.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 246]:**

Upton,-- disposition of certain property.

YEAS.

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

Kennedy, Edward J.
Kennedy, Robyn K.
Lewis, Jason M.
Lovely, Joan B.
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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 39.

NAYS – 0.

The yeas and nays having been completed at seven minutes before nine o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having

agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Auburn Water District.

An engrossed Bill relative to the Auburn Water District (see House, No. 2049, changed) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at six minutes before nine o'clock A.M., as follows, to wit (yeas 39 - nays 0) **[Yeas and Nays No. 247]:**

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 four minutes before nine o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Emergency Preamble Adopted.

Affordable Homes Act.

An engrossed Bill relative to the Affordable Homes Act (see House, No. 4977), 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 16 to 0.

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

Engrossed Bill—Land Taking for Conservation Etc.

New Bedford,-- land.

An engrossed Bill authorizing the city of New Bedford to grant a utility easement to the University of Massachusetts at Dartmouth (see Senate, No. 2894, amended) (which

UNCORRECTED PROOF.

originated in the Senate), having been certified by the Senate Clerk to be rightly and truly prepared for final passage,-- was put upon its final passage; and, this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at nineteen minutes past nine o'clock A.M., as follows, to wit (yeas 39 - nays 0) [**Yeas and Nays No. 248**]:

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 twenty-two minutes past nine o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Engrossed Bill—State Loan.

An engrossed Bill relative to the Affordable Homes Act (see House, No. 4977) (which originated in the House), having been certified by the Senate Clerk to be rightly and truly prepared for final passage, was put upon its final passage; and, this being a bill providing for the borrowing of money, in accordance with the provisions of Section 3 of Article LXII of the Amendments to the Constitution, the question on passing it to be enacted was determined by a call of the yeas and nays, at twenty-four minutes past nine o'clock A.M., as follows, to wit (yeas 37 - nays 2) [**Yeas and Nays No. 249**]:

Affordable Homes Act.

YEAS.

Barrett, Michael J.	Kennedy, Robyn K.
Brady, Michael D.	Lewis, Jason M.
Brownsberger, William N.	Lovely, Joan B.
Collins, Nick	Mark, Paul W.
Comerford, Joanne M.	Miranda, Liz
Creem, Cynthia Stone	Montigny, Mark C.
Crighton, Brendan P.	Moore, Michael O.

UNCORRECTED PROOF.

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.

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.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 37.

NAYS.

Durant, Peter J.

Fattman, Ryan C. – 2.

The yeas and nays having been completed at twenty-six minutes past nine o'clock A.M., the bill was passed to be enacted, two-thirds of the members present having agreed to pass the same, and it was signed by the Acting President (Mr. Brownsberger) and laid before the Governor for her approbation on Thursday, August 1, 2024.

Order Adopted.

On motion of Mr. Tarr,--

Ordered, That when the Senate adjourns today, it adjourns to meet again on Monday next, at eleven o'clock A.M.

Time of meeting.

On motion of Ms. Kennedy, at three minutes before ten o'clock A.M, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.