

The Commonwealth of Massachusetts

JOURNAL OF THE SENATE.



WEDNESDAY, OCTOBER 6, 2021

JOURNAL OF THE SENATE

Wednesday, October 6, 2021.

Met at twenty-three minutes past one o'clock P.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.

Communications.

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

Communication from the Office of the Comptroller (pursuant to item 1599-3384 of Section 2 of Chapter 227 of the Acts of 2020) submitting its report on payments made from the settlements and judgments reserve for fiscal year 2021 during the Accounts Payable Period (received October 4, 2021);

CTR,-- S&J report.
SD2783

Communication from the Cannabis Control Commission (pursuant to Section 4(h) of Chapter 94G of the General Laws) submitting an update on the status of its Fourth Annual Activities Report (received October 5, 2021); and

CCC,-- report status.
SD2784

Communication from the Massachusetts State House Press Association (pursuant to Joint Rule 32) submitting a list of additional legislative reporters who constitute the Massachusetts State House Press Association and the State House Broadcasters Association (received October 5, 2021).

SHPA,-- updated membership.
SD2785

Reports.

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

Report of the Franklin Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2021 (received September 30, 2021);

FRTA,-- auditors' report.
SD2779

Report of the Berkshire Regional Transit Authority (pursuant to Section 8(g) of Chapter 161B of the General Laws) submitting its financial statements and supplementary information for the year ended June 30, 2021 (received October 4, 2021); and

BRTA,-- auditors' report.
SD2780

Report of the Department of Public Health (pursuant to Section 3B of Chapter 7 of the General Laws) submitting a notification of proposed fee change for the Board of Registration in Naturopathy (received October 4, 2021).

DPH,-- fee change.
SD2781

Reports of a Committee.

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the select board of the town of Goshen (Senate, No. 2513) [Local approval received];

Goshen,-- select board.

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Middleborough to convey certain conservation land in the town (Senate, No. 2517) [Local approval received]; and

Middleborough,-- land conveyance.

By the same Senator, for the same committee, on petition, a Bill authorizing the treasurer of the town of Middleborough to pay from available funds to Middleborough High School students, parents or guardians amounts paid but not reimbursed for the costs

Middleborough,-- treasurer reimbursement.

of the 2020 senior trip (Senate, No. 2518) [Local approval received];

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

Placed on File.

Mr. Hinds, for the Senate Committee on Reimagining Massachusetts Post-Pandemic Resiliency, on its report entitled "Reimagining the Future of Massachusetts",-- **reported, recommending that the same be placed on file.**

Reimagining MA,--
report.
SD2782

Under Senate Rule 36, the report was considered forthwith and was accepted.

Committee Discharged.

Mr. Brady, for the committee on Public Service, reported, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 1772) of Michael F. Rush for legislation relative to the composition of the board of directors of the Massachusetts Department of Transportation,-- **and recommending that the same be referred to the committee on Transportation;**

MassDOT,-- board of
directors.

Under Senate Rule 36, the report was considered forthwith and accepted.

Sent to the House for concurrence.

PAPERS FROM THE HOUSE.

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

Petition (accompanied by bill, House, No. 4187) of Peter J. Durant and Ryan C. Fattman (by vote of the town) that the town of Dudley be authorized to grant three additional licenses for the sale of all alcoholic beverages to be drunk off the premises in said town; and

Dudley,-- liquor
licenses.

Petition (accompanied by bill, House, No. 4191) of Natalie M. Blais and Joanne M. Comerford (by vote of the town) that the town of Deerfield be authorized to grant 3 additional wines and malt beverage licenses not to be drunk on the premises and 3 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises in said town;

Deerfield,-- liquor
licenses.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, House, No. 4188) of Sheila C. Harrington (by vote of the town) that the town of Pepperell be authorized to convey a certain parcel of town owned land to the Commonwealth; and

Pepperell,-- land
conveyance.

Petition (accompanied by bill, House, No. 4192) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Eastham be authorized to convey a conservation restriction on a certain parcel of land to the Eastham Conservation Foundation, Inc.;

Eastham,-- land
conveyance.

Severally to the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 4193) of Marjorie C. Decker (with the approval of the city council) relative to providing for a fire cadet program for the city of Cambridge fire department;

Cambridge,-- fire
cadet program.

To the committee on Public Service.

A petition (accompanied by bill, House, No. 4190) of Sarah K. Peake and Julian Cyr relative to the Provincetown public pier corporation (having been filed in the office of the Clerk of the House on Thursday, July 8, 2021 and having been returned, under the provisions of Section 5 of Chapter 3 of the General Laws, Joint Rule 9, from the Secretary of State with memorandum on Monday, October 4, 2021),-- **was referred, in concurrence, to the committee on Municipalities and Regional Government.**

Provincetown,--
public pier
corporation.

UNCORRECTED PROOF.

A Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Hudson (House, No. 4126,-- on House, No. 3163), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Hudson,-- land conveyance.

A Bill designating the Department of Unemployment Assistance building in the city of Brockton as the C. Gerald Lucey Building (House, No. 4024,-- on petition),-- **was read and, under Senate Rule 26, referred to the committee on Rules.**

Brockton,--
C. Gerald Lucey Building.

Bills

To allow the town of Andover to transfer conservation land (House, No. 2193,-- on petition) [Local approval received];

Andover,-- land transfer.

Granting 4 additional liquor licenses for the sale of wines and malt beverages to be drunk on the premises in Concord (House, No. 3712, amended,-- on petition) [Local approval received];

Concord,-- liquor licenses.

Authorizing the city of Northampton to amend a certain conservation easement (House, No. 3900,-- on petition) [Local approval received]; and

Northampton,-- easement.

Amending the charter of the town of Hudson (House, No. 3920,-- on petition) [Local approval received];

Hudson,-- charter.

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

Matter Taken Out of the Notice Section.

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

The House Bill establishing a sick leave bank for Tanya Hackett, an employee of the Department of Children and Families (House, No. 4103),-- **was read a third time and passed to be engrossed, in concurrence.**

Tanya Hackett,-- sick leave.

PAPERS FROM THE HOUSE

Engrossed Bills.

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

Authorizing certain investments by the treasurer of the town of Milton (see Senate, No. 1364);

Bills laid before the Governor.

Authorizing the appointment of special firefighters in the city of Somerville (see Senate, No. 1734); and

Authorizing the town of Sudbury to grant an additional license for the sale of alcoholic beverages to be drunk on the premises (see House, No. 3895).

A petition (accompanied by bill, House, No. 4195) of Linda Dean Campbell and others relative to the governance, structure and care of veterans at veterans' homes in the Commonwealth,-- **was referred, in concurrence, under suspension of Joint Rule 12, to the committee on Veterans and Federal Affairs.**

Veterans' homes,-- governance.

Orders of the Day.

UNCORRECTED PROOF.

The Orders of the Day were considered, as follows:

Bills

Authorizing the city of New Bedford to convey certain land acquired for open space and play ground purposes (Senate, No. 29);

Relative to increasing city of Gloucester parking fines (Senate, No. 42);

Further defining a quorum of a public body in the town of Monson (Senate, No. 43);

Relative to sewer privilege fees in the town of Millbury (Senate, No. 1350);

Amending chapter 80 of the acts of 2002 relative to special police officers in the town of Agawam (Senate, No. 1369);

Authorizing the town of Wales to establish a department of public works (Senate, No. 2441);

Authorizing Brigette Hamel to take the civil service examination for the position of police officer in the city of Haverhill notwithstanding the maximum age requirement (Senate, No. 2447);

Amending the charter of the city of Amesbury (Senate, No, 2448);

Authorizing the town of Wareham to grant an additional license for the sale of alcoholic beverages to be drunk off the premises (Senate, No. 2501);

Authorizing the town of Southbridge to grant additional licenses for the sale of all alcoholic beverages to be drunk on the premises (Senate, No. 2509);

Authorizing the town of Maynard to grant an additional license for the sale of all alcoholic beverages to be consumed off the premises (House, No. 387);

Amending the Attleboro city charter by making all gender references therein gender neutral (House, No. 2169);

Relative to insurance proceeds for injured police and fire personnel in the town of Boylston (House, No. 2181);

Authorizing the town of Clinton to continue the employment of police chief Mark R. Laverdure (House, No. 2704);

Relative to the fire department of the town of Fairhaven (House, No. 2782);

Amending the charter of the town of Grafton (House, No. 3705);

Authorizing alternate members for the Tyngsborough conservation commission (House, No. 3725);

Authorizing the town of Dracut to pay a certain bill to WhiteWater, Inc. (House, No. 3726);

Relative to recall of elected officers in the town of Wenham (House, No. 3746);

Authorizing the town of Lancaster to continue the employment of Maurice Bateman (House, No. 3760);

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

Authorizing special police officers in the town of Natick to serve until the age of 70 (House, No. 3762);

Relative to the retirement of police officer Sean Murphy (House, No. 3764, amended);

Relative to certain affordable housing owned and operated by the Ipswich Housing Authority (House, No. 3809);

Authorizing the conveyance of a conservation restriction on the land known as Inter Lochen Park in the town of Sharon (House, No. 3867);

Establishing residency requirements for the offices of mayor, city council, and school committee in the city of Revere (House, No. 3965); and

Authorizing the city of Cambridge to use certain land for general municipal purposes and the installation of subsurface geothermal wells (House, No. 3996);

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

Second reading bills.

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

PAPER FROM THE HOUSE.

The House Bill promoting student nutrition (House, No. 3999, amended),-- came from the House with the endorsement that the House had concurred in the Senate amendment striking out all after the enacting clause and inserting in place thereof the text of Senate document numbered 2532 *with a further amendment* striking out all after the enacting clause and inserting in place thereof the following:

Student nutrition.

“SECTION 1. Chapter 71 of the General Laws is hereby amended by inserting after section 72 the following 2 sections:-

Section 72A. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Federal community eligibility provision’, as described in 7 C.F.R. 245.9(f).

‘Identified student percentage’, as defined in 7 C.F.R. 245.9(f)(1)(iii).

‘Provision 2’, as described in 7 C.F.R. 245.9(b).

(b)(1) A school district or individual school with an identified student percentage that is not less than 60 per cent shall elect and implement the federal community eligibility provision or provision 2 to provide universal free school breakfast and lunch to all students. This paragraph may be waived by the department if a school district or individual school is able to justify to the department that implementation will result in financial hardship to the school district or individual school.

(2) A school district or an individual school with an identified student percentage that is not less than 50 per cent but less than 60 per cent shall elect and implement the federal community eligibility provision or provision 2 to provide universal free school breakfast and lunch to all students unless: (i) the school committee for the school district or individual school votes, not later than June 1 of the first year of eligibility, to decline to participate in either the federal community eligibility provision or provision 2; or (ii) the department determines that the school district or individual school no longer has the qualifying identified student percentage. This paragraph may be waived by the department if a school district or an individual school is able to justify to the department that implementation will result in financial hardship to the school district or individual school.

(3) A school nutrition director or their designee shall attend at least 1 training by the department to learn about the federal community eligibility provision and other federal options that may be available to a school district or an individual school before a school committee vote or determination by the department pursuant to paragraph (1) or paragraph (2).

(c) A school district that participates in the national school lunch program shall take steps to maximize federal revenues and minimize debt on families under a protocol determined by the department that promotes the certification of students for free school meal status. The department shall assist school districts with improving the direct certification process and reducing administrative burdens on school districts. The department shall consult with representatives from the School Nutrition Association of Massachusetts, Inc. and relevant stakeholders to promote best practices to maximize federal revenues.

Section 72B. (a) A school district superintendent or their designee shall notify a parent or guardian of a student’s unpaid meal debt that remains unresolved. Within 30 days of notifying a family of the unpaid meal debt, the school district shall determine if the student is categorically-eligible for free or reduced-price meals. During the 30-day period, while the school district determines the student’s eligibility for free or reduced-price meals, the

student shall not be denied access to a school meal until the district has made a determination that the family is ineligible for free or reduced-price meals. The department shall establish the protocol that a school district superintendent or their designee shall use when notifying a parent or guardian or a student’s unpaid meal debt.

(b) No employee, agent or volunteer of a school or school district shall:

(i) take any action that would publicly identify a student when payment has not been received for a school meal or for meals previously served to the student;

(ii) serve a student with unpaid meal debt an alternative meal that is not also available to all students at the cafeteria; provided, however, that the alternative meal shall comply with the pattern for a federally-reimbursable meal;

(iii) deny a student a meal as a form of behavioral discipline or punishment;

(iv) dispose of an already served meal because of the student’s lack of funds to pay for the meal or because of unresolved meal debt;

(v) prohibit a student or a sibling of a student from attending or participating in non-fee based extracurricular activities, field trips or school events solely because of the student’s unresolved meal debt;

(vi) prohibit a student from receiving grades, official transcripts, report cards or from graduating or attending graduation events solely because of unresolved meal debt; or

(vii) require a parent or guardian to pay fees or costs in excess of the actual amounts owed for meals previously served to the student.”

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

Orders of the Day.

The Orders of the Day were further considered, as follows:

The Senate Bill fostering voter opportunities, trust, equity and security (Senate, No. 459),-- was read a second time.

Voter opportunities.

After remarks and pending the main question on ordering the bill to a third reading, the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2545),—was considered.

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

PAPERS FROM THE HOUSE

Emergency Preambles Adopted.

An engrossed Bill promoting student nutrition (see House, No. 3999, 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.

Student nutrition.

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 Tanya Hackett, an employee of the Department of Children and Families (see House, No. 4103), 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.

Tanya Hackett,-- sick leave.

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

House for enactment.

Orders of the Day.

The Orders of the Day were further considered, as follows:

The Senate Bill fostering voter opportunities, trust, equity and security (Senate, No. 459),-- was further considered, the main question being on ordering the bill to a third reading.

Voter opportunities.

After remarks, and pending the question on adoption of the amendment, previously recommended by the committee on Ways and Means, substituting a new draft with the same title (Senate, No. 2545), and pending the main question on ordering the bill to a third reading, Mr. Tarr moved that the proposed new draft be amended by striking out the text in its entirety and inserting in place thereof the text of Senate document numbered 2549.

42

Ms. Friedman in the Chair, the question on adoption of the amendment (Tarr) was determined by a call of the yeas and nays, at eleven minutes past three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 3 – nays 35) [Yeas and Nays No. 88]:

YEAS.

Fattman, Ryan C.
O'Connor, Patrick M.

Tarr, Bruce E. – 3.

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Timilty, Walter F.
Velis, John C. – 35.

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

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

PAPERS FROM THE HOUSE

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 (Ms. Friedman) (having been appointed by the President, under authority conferred by Senate Rule 4, to

perform the duties of the Chair). and laid before the Governor for his approbation, to wit:

Promoting student nutrition (see House, No. 3999, amended); and

Bills laid before the Governor.

Establishing a sick leave bank for Tanya Hackett, an employee of the Department of Children and Families (see House, No. 4103).

Orders of the Day.

The Orders of the Day were further considered, as follows:

Voter opportunities.

The Senate Bill fostering voter opportunities, trust, equity and security (Senate, No. 459),-- was further considered, the main question being on ordering the bill to a third reading.

8

Ms. Chang-Diaz,, Ms. Rausch, Mr. Eldridge, Ms. Jehlen and Mr. Gomez moved that the proposed new draft be amended in section 16, by striking the words “or jail”, in line 407, and inserting in place thereof the following words:- “, jail, or department of youth services facility.”; and by inserting after the word “record”, in line 423, the following words:- “(vi) enter into a memorandum of understanding with the secretary of the commonwealth to become an automatic voter registration agency as provided in Section 42G½ of Chapter 51 of the General Laws.”

After remarks, the amendment was *rejected*.

9

Ms. Chang-Diaz, Ms. Rausch, Mr. Eldridge, Ms. Jehlen and Mr. Gomez moved that the proposed new draft be amended in section 9, by inserting after the words “section 65”, in line 129, the following words:- “In accordance with the memorandum of understanding required by subsection (b), any applicant for services at an automatic voter registration agency who otherwise meets the qualifications to register to vote, and who does not decline to register to vote, but who is currently serving time for a felony conviction, shall be pre-registered as a voter within 5 to 10 business days prior to his release from any department of correction facility.”; and by inserting after section 9 the following section:-

“SECTION XX. Chapter 51 is hereby further amended by inserting after section 47C the following section:-

Section 47D. If after examination of an affidavit of registration it appears to the registrars that the person has all the qualifications to be registered as a voter except that such person is currently incarcerated for a felony conviction and the person has obtained the age of 16, then the registrar shall enter the person's name in the current annual register of voters with the designation “pre-registrant” or such other term or code as may be specified by the state secretary. The designation shall be removed when the person is released from incarceration for such felony conviction. No person preregistered under this section shall be allowed to vote until such person is no longer incarcerated for such felony conviction unless otherwise permitted by law.”

After remarks, the amendment was *rejected*.

10

Ms. Chang-Diaz, Ms. Rausch, Messrs. O'Connor and Eldridge moved that the proposed new draft be amended by adding the following section:-

“SECTION XX. Section 47A of chapter 51, as so appearing, is hereby amended by striking out the last sentence and inserting in place thereof the following sentence:- Subsequent to such pre-registration, a pre-registrant who is not yet 18 years of age, when pre-registered as provided in this section, shall be eligible to vote at any preliminary or primary election to be held if he or she shall be the age of 18 years at the time of the subsequent special or general election and no other pre-registrant shall be allowed to vote until the pre-registrant obtains full age unless otherwise permitted by law.”

The amendment was *rejected*.

11

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

“SECTION XX. Section 86 of chapter 54, as so appearing, is hereby amended by adding the following 2 paragraphs:-

A voter in any city or town within the Commonwealth that requires bilingual ballots shall be entitled to apply for and receive papers, explanatory matter, and instructions in bilingual form as provided in section eight-seven. For all translated ballots in languages that do not use the Roman alphabet, including but not limited to Chinese and Khmer, the state secretary shall provide for the transliteration of all candidates’ names as part of the bilingual ballot in consultation with language-minority community groups and media. Transliteration means the representation of a candidate's name with non-alphabetic characters, in a language that does not use the Roman alphabet, according to the same standards used to transliterate city, county or state names on the bilingual ballot: 1) Standard representations of common names shall be used as can be found in dictionaries; 2) Less common names shall be represented by characters that approximate the phonetics of a name in consultation with language-minority civic organizations or the media. All candidates shall be provided with a written copy of the proposed transliteration of such candidate’s name. Within seven days of receiving the proposed transliterations of such candidate’s name, that candidate may provide written notice to the state secretary of a modification of the proposed transliteration of candidate’s own name or decline to have candidate’s own name transliterated on the ballot. If a candidate does not respond, the state secretary shall proceed to use the transliterated name assigned. The state secretary shall have final approval of the transliteration and provide public notice of official transliterated names as soon as practicable to relevant civic organizations and ethnic media to ensure consistency.

Upon application by a voter who resides in any city or town within the Commonwealth that requires bilingual ballots, the state secretary shall prepare and furnish all papers, explanatory matter, and instruction required by this section in bilingual form. Transliteration of all candidates’ names shall be completed as provided for in section eighty-six.”

The amendment was *rejected*.

Messrs. Cyr, Eldridge and O'Connor, Ms. DiZoglio, Ms. Rausch and Mr. Timilty moved that the proposed new draft be amended in section 11, by striking out, in line 153, the word “business”; and in section 15, by striking out, in line 402, the word “business”. 13

After remarks, the amendment was adopted.

Ms. Comerford, Ms. Rausch, Ms. Gobi, Messrs. O'Connor and Cyr, Ms. Moran and Mr. Timilty moved that the proposed new draft be amended in section 11, by inserting, in line 335, after the word “secretary;”, the following words:- “provided, that municipalities that do not have a tabulator may open and deposit early voting ballots into a ballot box; and”; and 14

In section 20, by inserting, in line 447, after the word “secretary;”, the following words:- “provided, that municipalities that do not have a tabulator may open and deposit early voting ballots into a ballot box; and”.

The amendment was adopted.

Mr. Brownsberger in the Chair, Ms. Rausch and Ms. Gobi moved that the proposed new draft be amended in section 22, in line 473, by inserting at the end thereof the following sentence:- “The state secretary shall issue reports on the progress toward the requirements in this section to the senate and house committees on ways and means, the senate and house committees on rules, the chairs of the joint committee on elections laws, the attorney general, the auditor, and the residents of the commonwealth by public posting on his website no later than January 1, 2022 and April 1, 2022.” 16

After remarks, the amendment was *rejected*.

Ms. Rausch, Ms. Gobi, Ms. DiZoglio, Messrs. O'Connor and Eldridge and Ms. Jehlen 17

moved that the proposed new draft be amended in section 11, in line 237, by inserting after the word “clerk.” the following paragraph:-

“Each municipality shall maintain at least one secured municipal ballot drop box in a public location that is accessible to voters for not less than twelve hours each day, including business hours. A municipality with more than twenty-five thousand registered voters shall maintain at least one secured municipal ballot drop box for each twenty-five thousand registered voters during any voting by mail period. Locations for municipal ballot drop boxes shall be selected by the select board, town council or city council to prioritize, to the extent feasible:

- (i) proximity to public transportation and availability of parking;
- (ii) equitable distribution across population centers;
- (iii) access for persons with disabilities; and
- (iv) use of public buildings.

A municipality shall maintain such ballot drop boxes from the earliest date that ballots become available to voters through the hour fixed for the closing of the polls for any annual or special municipal or state preliminary, primary or election. A municipality with fewer than five thousand voters in excess of any twenty-five thousand registered voter increment may apply to the state secretary for waiver of the requirement to maintain an additional secured municipal ballot drop box for such population. The state secretary shall grant a waiver application made under this paragraph upon a determination that such waiver would serve the public interest.”

After debate, the question on adoption of the amendment (Rausch, et al) was determined by a call of the yeas and nays, at four minutes before four o'clock P.M., on motion of Ms. Rausch, as follows, to wit (yeas 13 – nays 25) [**Yeas and Nays No. 89**]:

YEAS.

- | | |
|---------------------|-----------------------------|
| Barrett, Michael J. | Jehlen, Patricia D. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| DiZoglio, Diana | O'Connor, Patrick M. |
| Eldridge, James B. | Pacheco, Marc R. |
| Gobi, Anne M. | Rausch, Rebecca L. |
| Gomez, Adam | Tarr, Bruce E. – 13. |
| Hinds, Adam G. | |

NAYS.

- | | |
|--------------------------|-----------------------------|
| Brady, Michael D. | Friedman, Cindy F. |
| Brownsberger, William N. | Keenan, John F. |
| Chandler, Harriette L. | Lesser, Eric P. |
| Collins, Nick | Lewis, Jason M. |
| Comerford, Joanne M. | Lovely, Joan B. |
| Creem, Cynthia Stone | Montigny, Mark C. |
| Crighton, Brendan P. | Moore, Michael O. |
| Cronin, John J. | Moran, Susan L. |
| Cyr, Julian | Rodrigues, Michael J. |
| DiDomenico, Sal N. | Rush, Michael F. |
| Fattman, Ryan C. | Timilty, Walter F. |
| Feeney, Paul R. | Velis, John C. – 25. |
| Finegold, Barry R. | |

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

Ms. Rausch, Ms. Gobi, Ms. Chang-Diaz, Mr. Eldridge and Ms. Jehlen moved that the

proposed new draft be amended in section 7, in line 50, by striking the word “a” and inserting in place thereof the following words:- “any municipal preliminary or election or presidential or state;”

In said section 7, in line 51, by inserting after the word “a” the following words:- “preliminary,”;

In said section 7, in line 65, by inserting after the word “the” the following words:- “preliminary,”;

In said section 7, in line 66, by inserting after the word “a” the following words:- “preliminary,”;

In said section 7, in line 67, by inserting after the word “subsequent” the following words:- “preliminaries,”;

In said section 7, in line 70, by inserting after the word “a” the first time it appears the following words:- “municipal preliminary or”;

In said section 7, in line 70, by inserting after the word “a” the second time it appears the following words:- “municipal or”;

In said section 7, in line 72, by inserting after the word “the” the following words:- “preliminary,”;

In said section 7, in line 74, by inserting after the word “any” the following words:- “preliminary,”;

In said section 7, in line 87, by inserting after the word “the” the following words:- “preliminary,”;

In said section 7, in lines 87-88, by striking the words “after the primary or election” and inserting in place thereof the following word:- “thereafter”;

In said section 7, in line 89, by striking the words “on the day of a primary or election”;

In said section 7, in line 93, by inserting after the word “a” the following words:- “preliminary,”;

In said section 7, in line 96, by inserting after the word “a” the following words:- “preliminary,”; and

In said section 7, in line 103, by inserting after the word “a” the following words:- “preliminary,”.

After remarks, the amendment was adopted.

Ms. Rausch, Ms. Gobi, Ms. Chang-Diaz, Mr. Eldridge, Ms. Jehlen and Mr. Gomez moved that the proposed new draft be amended in section 11, in line 145, by inserting before the word “primary” the following words:- “municipal preliminary or election or presidential or state”;

In section 11, in lines 150 and 153, by inserting before the word “election” each time it appears the following words:- “preliminary, primary or”;

In said section 11, in lines 158-159, by striking the words “presidential or state primary or state” and inserting in place thereof the following words:- “preliminary, primary or” ;

In said section 11, in line 187, by inserting after the word “municipal” the following words:- “preliminary or”;

In said section 11, in line 190, by inserting after the word “the” the following words:- “preliminary or”;

In said section 11, in line 194-195, by striking the words “presidential and state primaries and state” and inserting in place thereof the following words:- “preliminaries, primaries and elections;”

In said section 11, in line 199, by inserting after the word “year” the following words:- “and not later than March 1 of every odd-numbered year”;

In said section 11, in line 241, by inserting after the word “a” the following words:-

“preliminary,”; and

In said section 11, in lines 242-243, by striking out the words “a biennial state” and inserting in place thereof the following word:- “an”.

The amendment was adopted.

Ms. Chang-Diaz and Messrs. Eldridge and Gomez moved that the proposed new draft be amended by inserting after section _ the following section:- 20

“SECTION XX. Notwithstanding any general or special law to the contrary, the chief justice of the supreme judicial court shall develop form language relative to voter registration status on conviction, and such language shall be included in sentencing instructions read by a judge to a defendant. Such language shall be disseminated to district and superior court judges sitting in criminal sessions.”

The amendment was *rejected*.

Ms. Rausch, Ms. Gobi and Mr. Eldridge moved that the proposed new draft be amended in section 11, in lines 145-146, by striking out the words “primary or election” and inserting in place thereof the following words:- “or all preliminaries, primaries and elections”; 21

In said section 11, in lines 147-153, by striking out paragraph (2) and inserting in place thereof the following paragraph:-

“(2) (i) Any registered voter may become a temporary or permanent mail voter by: (A) filing with the state secretary a temporary or permanent mail voter status request in a form prescribed by the secretary and made available in paper and electronic formats; (B) indicating their request to establish temporary or permanent mail voter status on an affidavit of registration as provided in section 44 of chapter 51; or (C) opting into temporary or permanent mail voter status using the secure online portal provided by the state secretary pursuant to paragraph (a)(6). Any form of written communication evidencing a desire to have an early mail voting ballot sent for use for voting at any or all preliminaries, primaries and elections shall be given the same effect as an application made in the form prescribed by the state secretary.

(ii) A voter wanting to vote by mail for one or more preliminaries, primaries or elections in a calendar year shall apply to become a temporary mail voter. A voter wanting to vote by mail for all future preliminaries, primaries and elections shall apply to become a permanent mail voter.

(iii) A voter who opts to become a permanent mail voter shall be treated as having completed and returned a mail voting application for each preliminary, primary or election for which they remain qualified to vote.

(iv) A voter who opts to become a temporary or permanent mail voter may choose to receive their mail ballots at an address other than the voter’s residential address listed in the central registry of voters using the secure online portal provided by the state secretary pursuant to paragraph (a)(6) or filing such address request with the state secretary in a form prescribed by the secretary and made available in paper and electronic formats.

(v) A temporary or permanent mail voter who is not enrolled in a political party may select their desired political party primary ballot using the secure online portal provided by the state secretary pursuant to paragraph (a)(6) or filing such primary party ballot request with the state secretary in a form prescribed by the secretary and made available in paper and electronic formats; provided, however, that a temporary or permanent mail voter who is not enrolled in a political party will not receive a primary mail ballot unless such selection is made.

(vi) A voter may terminate their status as a temporary or permanent mail voter at any time by: filing with the state secretary a temporary or permanent mail voter termination request in a form prescribed by the secretary and made available in paper and electronic formats or so indicating using the secure online portal provided by the state secretary

pursuant to paragraph (a)(6).

(vii) No mail voting application shall be deemed to be seasonably filed for a particular preliminary, primary or election unless it is mailed by the voter on or before the tenth business day preceding the preliminary, primary or election or otherwise submitted by the voter no later than 5:00 P.M. on the seventh business day preceding the preliminary, primary or election.”

In said section 11, in line 209, by inserting after the word “year” the following words:- “or to become a permanent mail voter”; and

By inserting at the end thereof the following section:-

“SECTION XX. Any registered voter who requested and cast a vote by mail ballot in both the 2020 state primary and 2020 election shall be automatically enrolled as a permanent mail voter pursuant to section 11 of this act.”

After debate, the question on adoption of the amendment (Rausch, et al) was determined by a call of the yeas and nays, at sixteen minutes past four o'clock P.M., on motion of Ms. Rausch, as follows, to wit (yeas 7 – nays 31) **[Yeas and Nays No. 90]:**

YEAS.

Chang-Diaz, Sonia
DiZoglio, Diana
Eldridge, James B.
Gobi, Anne M.

Gomez, Adam
Kennedy, Edward J.
Rausch, Rebecca L. – 7.

NAYS.

Barrett, Michael J.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
Fattman, Ryan C.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Hinds, Adam G.

Jehlen, Patricia D.
Keenan, John F.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rodrigues, Michael J.
Rush, Michael F.
Tarr, Bruce E.
Timilty, Walter F.
Velis, John C. – 31.

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

Ms. Rausch, Ms. DiZoglio and Ms. Gobi moved that the proposed new draft be amended in section 11, in line 241, by inserting after the word “a” the following words:- “preliminary,”;

22

In said section 11, in lines 242-243, by striking out the words “biennial state” and inserting in place thereof the following words:- “preliminary, primary or”;

In said section 11, in line 243, by striking the word “third” and inserting in place thereof the following:- “seventh”; and

By inserting at the end thereof the following section:-

“SECTION XX. Chapter 53 of the General Laws is hereby amended by striking out the first paragraph of section 28 and inserting in place thereof the following paragraph:-

State primaries shall be held on the second Tuesday in June in even-numbered years and on the fourth Tuesday preceding special state elections, except that primaries before special elections for senator or representative in congress shall be held on the sixth Tuesday preceding said elections. If a religious holiday falls on or immediately before the second Tuesday in June in an even-numbered year, the state primary shall be held on a date set by the general court within seven days of the second Tuesday in June. The state secretary shall publish the date of the state primary not later than February 1 of each even-numbered year by:

- (i) providing notice of the date to the state parties;
- (ii) filing notice with the state publications and regulations division;
- (iii) posting the information on the website of the state secretary; and
- (iv) any other means necessary to ensure sufficient and proper notification to residents of the commonwealth eligible to vote.

Presidential primaries shall be held on the first Tuesday in March in any year in which presidential electors are to be elected. Municipal preliminaries before city and town elections shall be held on or before the forty-ninth day preceding such elections. Notwithstanding any provision of law to the contrary, any town may hold its preliminary or regular town elections on the same date designated as the date to hold a presidential primary, in any year in which presidential electors are to be elected, or a state primary, in any even-numbered year, provided that such election is by a ballot independent of the ballot used for a presidential or state primary.”

After debate, the amendment was *rejected*.

Ms. Rausch moved that the proposed new draft be amended in section 11, in line 243, by striking the word “third” and inserting in place thereof the following:- “seventh”; and in said section 11 by inserting, in line 243, after the words “section 95” and inserting the following:- “of chapter 54”.

23

After remarks, the amendment was *rejected*.

Mr. Eldridge and Ms. Rausch moved that the proposed new draft be amended by striking section 16 in its entirety and inserting in place thereof the following:-

25

“SECTION 16. Chapter 127 of the General Laws is hereby amended by inserting after section 150 the following section: –

(a) For the purposes of this section, ‘facility’ shall include a correctional facility, house of correction or jail. (b) The officer in charge of a facility shall: (i) not later than 30 days prior to a presidential primary or July 15 of other even numbered years: (A) display in prominent locations visible to individuals who are incarcerated at the facility, a poster of voting rights and procedures prepared by the state secretary; and (B) distribute to all individuals who are incarcerated who may be eligible to vote, written information about voting rights and procedures prepared by the state secretary; (ii) for all primaries and elections, assist an individual who is incarcerated who may be eligible to vote in registering as a voter and in applying for a mail ballot, including as specially qualified voters, and distribute forms prepared by the state secretary for those purposes; (iii) ensure the receipt, private voting, where possible, and return of mail ballots by an eligible individual who is incarcerated; (iv) appoint a subordinate officer at the facility to supervise the actions required by this section; and (v) not later than 14 days before every presidential and regular state primary and biennial state election, file a written report with the state secretary, in a form prescribed by the state secretary, that details the actions taken under this section. The report shall be a public record.

SECTION 16B. Chapter 51 of the General Laws is hereby amended by adding after section 4A the following section:

Section 4B. (a) Ten days before the release of a prisoner convicted of a felony, the correctional facility shall notify the state secretary of the prisoner’s release. The state

secretary shall obtain the prisoner’s address upon release, date of birth and identification number from the department of correction or the department of probation. The state secretary shall provide that information to the election officer of the city or town in which the person shall reside upon release. The election officer shall add the person to the voting list as an unenrolled voter unless the prisoner has notified the state secretary that the prisoner desires to register with a political party, a political designation or does not desire to register to vote.

(b) Ten days before the release of a prisoner convicted of a felony, the superintendent or administrator of the state or county correctional facility shall, in writing, notify the prisoner whose term is to expire that the prisoner’s voting rights shall be restored upon discharge and that the state secretary shall automatically register the prisoner to vote as an unenrolled voter unless the prisoner notifies the state secretary that the prisoner does not desire to register to vote or desires to register with a political party or a political designation.”

After remarks, the amendment was *rejected*.

Mr. Fattman moved that the proposed new draft be amended in section 11, by inserting after the word “election”, in line 337, the following words:- “; and provided further, that notice of the date, time and location of any such opening or depositing shall be posted at least 2 business days in advance of the opening or depositing and the opening or depositing shall be open to the public”; and

24

In section 20, by inserting after the word “election”, in line 449, the following words:- “; and provided further, that notice of the date, time and location of any such opening or depositing shall be posted 2 business days in advance of the opening or depositing and the opening or depositing shall be open to the public”.

The question on adoption of the amendment (Fattman) was determined by a call of the yeas and nays, at five minutes before five o'clock P.M., on motion of Mr. Fattman, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 91**]:

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Eldridge, James B. | Rausch, Rebecca L. |
| Fattman, Ryan C. | Rodrigues, Michael J. |
| Feeney, Paul R. | Rush, Michael F. |
| Finegold, Barry R. | Tarr, Bruce E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. – 38. |

NAYS – 0.

The yeas and nays having been completed at two minutes past five o'clock P.M., the

amendment was adopted.

Ms. Rausch, Ms. Gobi and Mr. Eldridge moved that the proposed new draft be amended in section 11, in lines 193-198, by striking paragraph (6) and inserting in place thereof the following paragraph:-

26

“(6) The state secretary shall establish, implement and maintain a secure internet portal hosted on or accessible via the secretary’s website to allow any qualified voter to: (i) submit a mail voting application; (ii) establish or terminate their status as a permanent mail voter; (iii) select a desired political party primary ballot, if the voter is not enrolled in a political party; and (iv) request a vote by mail ballot be sent to a mailing address of the voter’s choosing, regardless of whether the address is the voter’s address on file in the central registry of voters, or provided electronically to voters approved to utilize an accessible electronic ballot as an accommodation under this section. The portal system shall not require the voter’s signature. No voter shall be required to provide their signature at any time for any request under this paragraph.”

After remarks, the amendment was *rejected*.

Ms. Rausch, Ms. Gobi and Ms. Comerford moved that the proposed new draft be amended in section 11, in line 223, by striking the word “where” and inserting in place thereof the following word:- “whenever”;

27

In said section 11, in line 227, by inserting after the word “guaranteed” the following words:- “The state secretary shall deliver to the clerks in each city and town necessary quantities of the vote by mail materials described in this paragraph as soon as such materials are available, but not later than 45 days before any preliminary, primary or election”; and

In said section 11, in line 327, by striking the figure “30” and inserting in place thereof the following figure:- “45”.

After remarks, the amendment was *rejected*.

Ms. Rausch and Messrs. O'Connor and Eldridge moved that the proposed new draft be amended in section 11, in line 236, by striking the word “or”; and

28

In said section 11, in line 237, by inserting after the word “clerk” the following words:- ; “or (v) delivering it in person to the voter’s regular polling place prior to the closing of the polls on any preliminary, primary or election day.”

After remarks, the amendment was *rejected*.

Ms. Gobi and Messrs. Brady and Timilty moved that the proposed new draft be amended in section 7 by striking in line 51 the words “(A)”; and by striking in line 53 the words: “or (B) at an early voting site for the city or town in which the individual resides during the hours it is open for voting;”; and by striking in line 65 the words: “during the early voting period or”.

29

After remarks, the amendment was *rejected*.

Ms. Gobi and Messrs. Brady and Timilty moved that the proposed new draft be amended by striking sections 8 and 9.

30

After remarks, the amendment was *rejected*.

Ms. Rausch, Ms. DiZoglio and Mr. Montigny moved that the proposed new draft be amended by inserting at the end thereof the following section:-

31

“SECTION XX: Section 24 of chapter 54 of the General Laws is hereby amended by striking out the word ‘aldermen’ each time it appears and inserting in place thereof the words:- ‘city council’; and further amended by striking out the word ‘selectmen’ each time it appears and inserting in place thereof the words:- ‘select board or town council’; and further amended by adding the following sentence:- ‘The board of election commissioners in the city of Boston, the city council in any other city or the select board or town council in any town shall designate at least one polling place located within one mile of any public or private institution of higher education located within the geographical limits of the city

or town, including without limitation any community college as defined in section 10 of chapter 15A’.”

After remarks, the amendment was *rejected*.

Ms. Rausch, Ms. Gobi, Ms. Moran and Mr. Eldridge moved that the proposed new draft be amended in section 7, in line 79, by striking out the words “To the extent feasible, the” and inserting in place thereof the following word:- “The”;

32

In said section 7, in line 80, by striking out the word “available” and inserting in place thereof the following words:- “electronically available in real time”; and

By inserting at the end thereof the following sections:-

“SECTION XX. Chapter 51 of the General Laws is hereby amended by striking section 47C in its entirety and inserting in place thereof the following section:-

Section 47C. Central registry of voters

(a) The secretary of state shall maintain a central registry of voters in accordance with this section.

(b) Information contained in the central registry shall be provided by the registrars or equivalent in the commonwealth’s cities and towns.

(c) The central registry shall contain, without limitation, the following information about each registered voter in the commonwealth: (1) full name; (2) former name, if any; (3) residential address; (4) date of birth; (5) political party enrollment or designation; and (6) effective date of registration.

(d) The central registry may contain, without limitation, the following information about residents of the commonwealth age 16 and over: (1) full name; (2) former name, if any; (3) residential address on January first in the current year; (4) residential address on January first in the preceding year; (5) date of birth; (6) occupation; (7) veteran status; and (8) nationality, if not a citizen of the United States.

(e) The central registry shall be electronically maintained using the most advanced applicable technology reasonably available to the state secretary.

(f) The information contained in the central registry pursuant to paragraph (c) shall be: (1) available to state party committees, statewide candidate committees, state ballot question committees, the jury commissioner, adjutant general and any other individual, agency or entity that the state secretary shall designate by regulation consistent with the purposes of this section, at a fair and reasonable cost not to exceed the cost of printing in hard copy, if requested, or issuing computer-readable data files; and (2) provided by the state secretary to the election officials at each polling place in the commonwealth in digital format sufficient to allow for designated election officials to conduct real-time searches of the registry and to modify a voter’s registration information upon presentation by the voter of appropriate documentation to justify the modification.

(g) The state secretary shall adopt regulations governing the operation of the central registry consistent with the provisions of this section.

SECTION YY. The state secretary shall use all reasonable efforts to secure and use federal funding to maintain and provide the information contained in the central registry consistent with the provisions of section XX of this act.”

After remarks, the amendment was *rejected*.

Ms. Rausch and Mr. Eldridge moved that the proposed new draft be amended in place at the end thereof the following section:-

33

“SECTION XX: Section 72 of chapter 54 of the general laws is hereby amended by striking out the word ‘shall’ and inserting in place thereof the following words:- ‘may opt to’.”

After remarks, the amendment was adopted.

Ms. Rausch, Ms. Gobi and Messrs. O'Connor, Eldridge, Gomez and Keenan moved that the proposed new draft be amended by inserting at the end thereof the following

35

section:-

“SECTION XX: Not later than June 10, 2022, the state secretary shall conduct a public awareness campaign to inform voters in the commonwealth of the provisions of this act, including, but not limited to: (i) measures to promote public awareness of election day registration in all elections; (ii) options for expanded mail voting; (iii) the availability of accommodations for voters with a disability; (iii) the availability of accommodations under section 79 of chapter 54 for a voter who has limited English proficiency; and (iv) information explaining the processing of mail in ballots time to tabulate the results of the election may last a few days past the day of the election. The public awareness campaign shall: (i) be linguistically diverse and culturally competent; (ii) shall include, but not be limited to, outreach through digital and social media; and (iii) ensure specific outreach is done for groups and communities that have historically underused vote-by-mail and early voting.”

After debate, the question on adoption of the amendment (Rausch, et al was determined by a call of the yeas and nays at twenty-four minutes past five o'clock P.M., on motion of Ms. Rausch, as follows, to wit (yeas 38 – nays 0) [**Yeas and Nays No. 92**]:

YEAS.

- | | |
|--------------------------|-----------------------------|
| Barrett, Michael J. | Gomez, Adam |
| Brady, Michael D. | Hinds, Adam G. |
| Brownsberger, William N. | Jehlen, Patricia D. |
| Chandler, Harriette L. | Keenan, John F. |
| Chang-Diaz, Sonia | Kennedy, Edward J. |
| Collins, Nick | Lesser, Eric P. |
| Comerford, Joanne M. | Lewis, Jason M. |
| Creem, Cynthia Stone | Lovely, Joan B. |
| Crighton, Brendan P. | Montigny, Mark C. |
| Cronin, John J. | Moore, Michael O. |
| Cyr, Julian | Moran, Susan L. |
| DiDomenico, Sal N. | O'Connor, Patrick M. |
| DiZoglio, Diana | Pacheco, Marc R. |
| Eldridge, James B. | Rausch, Rebecca L. |
| Fattman, Ryan C. | Rodrigues, Michael J. |
| Feeney, Paul R. | Rush, Michael F. |
| Finegold, Barry R. | Tarr, Bruce E. |
| Friedman, Cindy F. | Timilty, Walter F. |
| Gobi, Anne M. | Velis, John C. – 38. |

NAYS – 0.

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

Messrs. Tarr, O'Connor and Montigny moved that the proposed new draft be amended by inserting at the end thereof the following sections:-

37

“SECTION _. Section 8 of chapter 56 as appearing in the 2020 official edition is hereby amended striking in line 13 the following:-‘ten’ and inserting in place thereof the following:-‘twenty’

SECTION _. Section 26 of said chapter 56 is hereby amended by striking in line 10 the following:- ‘ten’ and inserting in place thereof the following:-‘twenty’

SECTION _. Section 27 of said chapter 56 is hereby amended by striking in line 5 the following:-‘ten’ and inserting in place thereof the following:-‘twenty’

SECTION _. Section 27A of said chapter 56 is hereby amended by striking in line 5

the following:-‘ten’ and inserting in place thereof the following:-‘twenty’

SECTION _ . Section 28 of said chapter 56 is hereby amended by striking in line 5 the following:-‘ten’ and inserting in place thereof the following:-‘twenty’

SECTION _ . Said chapter 56 is hereby amended by inserting at the end thereof the following section:-‘Section 70. Upon receiving credible information or a credible allegation that an individual or individuals engaged in any conduct in violation of chapter 56, the attorney general or the district attorney having jurisdiction over the municipality in which the alleged conduct occurred shall investigate the merits of the information or allegation .’

SECTION _ . Said chapter 56 is hereby amended by inserting at the end thereof the following new section:-‘Section 71. Any person who is found to have conspired with one or more other persons to violate the provisions of Chapters 50-56 respectively in a systemic fashion shall be found guilty of Conspiracy and punished by a fine of not more than fifty thousand dollars or by imprisonment for not more than ten years, or both .’”

The amendment was *rejected*.

Mr. Feeney moved that the proposed new draft be amended in section 11, by inserting after the word “ballot”, in line 202, the following words:- “for the presidential or state primary or biennial state election, as applicable, and any city or town election held on the same day as the presidential or state primary or biennial state election”.

38

After remarks, the amendment was adopted.

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

44

“SECTION_ Each prospective voter must present identification to a properly designated poll worker, which identification must have been issued by a branch of the United States government or of the Commonwealth or by a tribal authority recognized by either the United States or the Commonwealth and must include a picture of the prospective voter. Should any person fail to present such identification, he or she may choose to execute an affidavit attesting to his or her identity and residence, in which case such person shall be given a ballot.

SECTION _ .Section 8E of Chapter 90 of the General Laws as appearing in the 2018 edition is hereby amended by including at the end the following:

When establishing criteria for identification cards, the registrar’s regulations shall include a process for a person who is homeless or indigent or is an unaccompanied homeless or indigent youth to apply for a Massachusetts identification card and to waive any fees associated with obtaining the identification card; provided, however, that the process shall allow for a person who is homeless or indigent or is an unaccompanied homeless or indigent youth, or a homeless or indigent person to submit proof of ability to vote under State and Federal Election laws. The registrar and the state secretary shall enter into a memorandum of understanding under section 42G ½ of chapter 51 to implement this paragraph, as appropriate.

For the purposes of this section, the following terms shall have the following meanings:

‘Homeless’, shall have the same meaning as in section 103 of the Stewart B. McKinney Homeless Assistance Act of 1987, 42 USC 11302(a), as amended.

‘Unaccompanied homeless youth’, a person who is 18 - 24 years of age; (ii) is not in the physical custody or care of a parent or legal guardian; and (iii) lacks a fixed, regular and adequate nighttime residence.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new draft be amended by striking section 6 in its entirety.

47

The amendment was *rejected*.

Mr. Hinds, Ms. Rausch, Ms. Chang-Diaz, Ms. Comerford and Messrs. Eldridge and Gomez moved that the proposed new draft be amended by striking out section 16 and inserting in place thereof the following section:-

“SECTION 16. Said chapter 54 is hereby further amended by inserting after section 89 the following section:-

Section 89B. (a) For the purposes of this section, ‘facility’ shall include a correctional facility, house of correction, jail or department of youth services.

(b) The officer in charge of a facility shall:

(i) not later than 30 days prior to a presidential primary or July 15 of other even-numbered years: (A) display in prominent locations visible to individuals who are incarcerated at the facility, a poster of voting rights and procedures prepared by the state secretary; and (B) distribute to all individuals who are incarcerated at the facility and who may be eligible to vote, written information about voting rights and procedures prepared by the state secretary;

(ii) for all municipal preliminaries and elections and primaries and elections, assist an individual who is incarcerated at the facility and who may be eligible to vote in registering as a voter and in applying for a mail ballot, including as specially qualified voters, and distribute forms prepared by the state secretary for those purposes; provided, however, that assistance shall include, but not be limited to, providing an individual with access to a writing implement sufficient to properly complete the registration and application forms;

(iii) ensure the receipt, private voting, where possible, and return of mail ballots by an eligible individual who is incarcerated at the facility, including access to a writing implement sufficient to properly complete the ballots; provided, however, that an employee, contractor, agent, official or representative of the department of correction shall not open or inspect any completed mail ballot unless it is to investigate reasonable suspicion of a prohibited activity; and provided further, that the officer in charge of the facility shall ensure the mailing of completed mail ballots as soon as practicable;

(iv) provide means of tracking: (A) complaints by an individual who is incarcerated at the facility related to voting or registration issues; (B) numbers of individuals who are incarcerated who sought to vote; and (C) the outcome of their requests;

(v) appoint a subordinate officer at the facility to supervise the actions required by this section; and

(vi) not later than 14 days before every presidential and regular state primary and biennial state election, file a written report with the state secretary, in a form prescribed by the state secretary, that details the actions taken under this section; provided, however, that the report shall be a public record.

(c)(1) Prior to the expiration of the term for a person who is incarcerated in a correctional facility, the officer in charge of the facility shall provide, in writing, a document prepared by the state secretary explaining: (i) the voting rights of a person who is incarcerated in a correctional facility upon discharge from a correctional facility; and (ii) instructions for the individual to register to vote following discharge from the facility. The officer in charge of the facility shall provide the person with a voter registration form with a postage guaranteed envelope, and assistance, if requested, to complete such form.

(2) The state secretary shall transmit the document prepared pursuant to paragraph (1) to the local election officials for each city and town.

(d)(1) Not less than quarterly, the officer in charge of a facility, except for the department of youth services, shall transmit to the state secretary: (i) a list containing information about persons who are newly incarcerated in the correctional facility due to a felony conviction since the time of last reporting under this section; and (ii) a list containing information about persons who were incarcerated in the correctional facility due to a felony conviction but were discharged since the time of last reporting under this

section.

(2) The lists required by paragraph (1) shall include, for each person listed: (i) name; (ii) date of birth; (iii) last 4 digits of social security number or driver's license number, if available; (iv) address on-file, including street, city or town and state; and (v) race or ethnicity, for reporting purposes.”

After remarks, the amendment was adopted.

Ms. Lovely and Messrs. Keenan, Feeney, O'Connor and Timilty moved that the proposed new draft be amended by inserting after section 12 the following section:-

2

“SECTION 12A. Section 65 of said chapter 54, as so appearing, is hereby amended by adding the following paragraph:-

This section shall apply to early voting locations under section 25B while voting is being conducted.”

The amendment was adopted.

Mr. Velis, Ms. Gobi and Messrs. Brady, O'Connor, Rush, Crighton, Timilty, Gomez and Tarr moved that the proposed new draft be amended by inserting after section 17 the following section:-

5

“SECTION 17A. Said chapter 54 is hereby amended further amended by striking out section 91C, as so appearing, and inserting in place thereof the following section:-

Section 91C. (a) For the purposes of this section, “voter” shall mean an individual voting pursuant to the federal Uniformed and Overseas Citizens Absentee Voting Act.

(b) Upon receipt of a properly executed application for an absentee ballot from a voter, a city or town clerk shall retain the application and, without delay, enter the application in the voter registration information system.

(c) The application for an absentee ballot shall permit a voter to request, receive, mark, verify and cast a ballot electronically, using an electronic system approved by the state secretary. A voter may electronically return a marked ballot to the city or town clerk to be counted, subject to the regulations promulgated by the state secretary.

Any electronic system approved by the state secretary under this section shall:

(i) not store personal identifying information beyond the time necessary to confirm the identity of the voter, but may maintain personal identifying information on the voter’s local device;

(ii) facilitate a process for verification of voter identity;

(iii) generate an anonymous, auditable copy of the voter ballot that is received, marked, verified and cast via electronic transmission; and

(iv) provide a method for voters to verify that their ballots are received by the appropriate local election officials.

(d) The city or town clerk shall expeditiously transmit a ballot or access to an electronic ballot to all voters for whom an application was received in accordance with subsections (b) and (c) and shall enter the date of transmission into the voter registration information system.

(e) If a request for an absentee ballot is received from a voter 45 or more days before a federal election, the city or town clerk shall send the ballot and instructions to the applicant not later than 45 days prior to the federal election using either mail or electronic transmission, as requested by the voter.

(f) If a request for an absentee ballot is received from a voter less than 45 days before a federal election, the city or town clerk shall send the ballot and instructions without delay using either mail or electronic transmission, as requested by the voter.

(g) If a request for an absentee ballot is received from a voter 45 or more days before a federal election and the state secretary has determined that the city or town clerk is unwilling or unable to transmit the ballot not less than 45 days before the election, the state secretary may, on behalf of the city or town clerk, after notice to the city or town clerk and

in accordance with the voter's choice, electronically transmit or mail the appropriate absentee ballot and instructions to the voter not later than the day 45 days prior to the federal election.

The state secretary shall enter in the voter registration information system the transmission date on which absentee voters were sent ballots by the state secretary pursuant to this subsection.

(h) The state secretary shall promulgate regulations to implement this section; and by inserting after section 22 the following section:-

SECTION 22A. The state secretary shall promulgate regulations necessary to implement section 91C of chapter 54 of the General Laws, as inserted by section 17A, within 120 days of the effective date of this act.”

After remarks, the question on adoption of the amendment (Velis, et al) was determined by a call of the yeas and nays at one minute past six o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 38 – nays 0) **[Yeas and Nays No. 93]:**

YEAS.

Barrett, Michael J.	Gomez, Adam
Brady, Michael D.	Hinds, Adam G.
Brownsberger, William N.	Jehlen, Patricia D.
Chandler, Harriette L.	Keenan, John F.
Chang-Diaz, Sonia	Kennedy, Edward J.
Collins, Nick	Lesser, Eric P.
Comerford, Joanne M.	Lewis, Jason M.
Creem, Cynthia Stone	Lovely, Joan B.
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	O'Connor, Patrick M.
DiZoglio, Diana	Pacheco, Marc R.
Eldridge, James B.	Rausch, Rebecca L.
Fattman, Ryan C.	Rodrigues, Michael J.
Feeney, Paul R.	Rush, Michael F.
Finegold, Barry R.	Tarr, Bruce E.
Friedman, Cindy F.	Timilty, Walter F.
Gobi, Anne M.	Velis, John C. – 38.

NAYS – 0.

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

Ms. Rausch, Ms. Chang-Diaz, Mr. Eldridge, Ms. Jehlen AND Messrs. Brady, Feeney, Gomez and Timilty moved that the proposed new draft be amended by inserting at the end thereof the following section:-

“SECTION XX. Chapter 149 of the general laws is hereby amended by striking out section 178 and inserting in place thereof the following section:-

Section 178. Paid leave from work for voting.

(a) For purposes of this section, the terms ‘employer’ and ‘employee’ shall be defined as in section 1 of chapter 175M.

(b) An employee who is eligible to vote shall be entitled, upon request, to take two hours of paid leave to be used for the purpose of casting a ballot in any city or town election and presidential or state primary or election. An employee may elect to take said paid voting leave at any point during any applicable early in-person voting or mail voting period

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or on the date the polls are open. An employee shall be entitled to paid voting leave for each election in which the employee wishes to vote.

(c) It shall be unlawful for any employer to interfere with, restrain, or deny the exercise of, or the attempt to exercise, the right to take paid voting leave under this section, including without limitation considering such exercise or attempt to exercise as a negative factor in any employment action such as evaluation, promotion, disciplinary action or termination, or otherwise subjecting an employee to discipline for the use of or attempt to use paid voting leave under this section.”

After remarks, the question on adoption of the amendment (Rausch, et al) was determined by a call of the yeas and nays at sixteen minutes past six o'clock P.M., on motion of Ms. Rausch, as follows, to wit (yeas 12 – nays 26) **[Yeas and Nays No. 94]:**

YEAS.

Brady, Michael D.	Hinds, Adam G.
Chang-Diaz, Sonia	Jehlen, Patricia D.
DiZoglio, Diana	O'Connor, Patrick M.
Eldridge, James B.	Pacheco, Marc R.
Feeney, Paul R.	Rausch, Rebecca L.
Gomez, Adam	Timilty, Walter F. – 12.

NAYS.

Barrett, Michael J.	Gobi, Anne M.
Brownsberger, William N.	Keenan, John F.
Chandler, Harriette L.	Kennedy, Edward J.
Collins, Nick	Lesser, Eric P.
Comerford, Joanne M.	Lewis, Jason M.
Creem, Cynthia Stone	Lovely, Joan B.
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Finegold, Barry R.	Tarr, Bruce E.
Friedman, Cindy F.	Velis, John C. – 26.

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

Ms. Comerford, Ms. Rausch, Ms. Gobi and Messrs. O'Connor, Timilty and Feeney moved that the bill be amended move that the proposed new draft be amended in section 11, in proposed paragraph (2) of subsection (b) of section 25B of chapter 54, by striking out the second paragraph and inserting in place thereof the following 2 paragraphs:-

“Early voting weekend hours shall be conducted as follows: (i) for municipalities with less than 5,000 registered voters, for not less than 4 hours each weekend, with at least 1 day per weekend, for not less than 2 hours on a weekend day in which voting is conducted; (ii) for municipalities with not less than 5,000 registered voters but less than 25,000 registered voters, for not less than 6 hours each weekend, with at least 1 day per weekend, for not less than 3 hours on a weekend day in which voting is conducted; (iii) for municipalities with not less than 25,000 registered voters but less than 40,000 registered voters, for not less than 4 hours each weekend day; (iv) for municipalities with not less than 40,000 registered voters but less than 75,000 registered voters, for not less than 6 hours each weekend day; and (v) for municipalities with not less than 75,000 registered voters, for not less than 8 hours each weekend day.

For each other day during the early voting period, early voting shall be conducted as follows: (i) for municipalities with less than 5,000 registered voters the city council of a city or board of selectman or select board of a town may, at a public meeting held not less than 20 days before the first day of the early voting period, vote to provide early voting hours of not less than 25 per cent of the usual business hours of the town clerk; (ii) for municipalities with more than 5,000 registered voters but less than 40,000 registered voters: (A) for the fifteenth day to the eleventh day, inclusive, preceding a biennial state election, the city council of a city or board of selectman or select board of a town may, at a public meeting held not less than 20 days before the first day of the early voting period, vote to provide early voting hours of not less than 50 per cent of the usual business hours of the city or town clerk; and (B) for the eighth day to the fourth day, inclusive, during the usual business hours of each city or town clerk; and (iii) for municipalities with more than 40,000 registered voters, during the usual business hours of the city or town clerk. A city or town may provide for additional early voting hours beyond the hours required by this paragraph.”

After remarks, the amendment was adopted.

Mr. Rodrigues moved that the proposed new draft be amended in section 5, by striking out, in line 24, the words “striking out the last sentence” and inserting in place thereof the following words:- “inserting after the word “elections”, in line 28, the following words:- ; unless the voter has registered pursuant to section 34A”;

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In section 7, by striking out, in line 50, the words “on the day of a primary or election”; and

In section 11, by inserting after the word “an”, in line 208, the second time it appears, the following words:- “absentee ballot or”.

The amendment was adopted.

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

The bill (Senate, No. 2545, 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 nineteen minutes before seven o'clock P.M., on motion of Mr. Finegold, as follows, to wit (yeas 36 – nays 3) **[Yeas and Nays No. 95]:**

YEAS.

Barrett, Michael J.	Gomez, Adam
Brady, Michael D.	Hinds, Adam G.
Brownsberger, William N.	Jehlen, Patricia D.
Chandler, Harriette L.	Keenan, John F.
Chang-Diaz, Sonia	Kennedy, Edward J.
Collins, Nick	Lesser, Eric P.
Comerford, Joanne M.	Lewis, Jason M.
Creem, Cynthia Stone	Lovely, Joan B.
Crighton, Brendan P.	Montigny, Mark C.
Cronin, John J.	Moore, Michael O.
Cyr, Julian	Moran, Susan L.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Feeney, Paul R.	Rush, Michael F.
Finegold, Barry R.	Spilka, Karen E.
Friedman, Cindy F.	Timilty, Walter F.
Gobi, Anne M.	Velis, John C. – 36.

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NAYS.

Fattman, Ryan C.
O'Connor, Patrick M.

Tarr, Bruce E. – 3.

The yeas and nays having been completed at thirteen minutes before seven o'clock P.M., the bill was passed to be engrossed [For text of Senate Bill, printed as amended, see Senate, No. 2554].

Sent to the House for concurrence.

Order Adopted.

On motion of Mr. Tarr,--

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

Time of meeting.

On motion of Mr. Keenan, at twelve minutes before seven o'clock P.M., the Senate adjourned to meet again tomorrow at eleven o'clock A.M.