

**The Commonwealth of Massachusetts**

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**JOURNAL OF THE SENATE.**



**THURSDAY, JUNE 24, 2021**

[56]

JOURNAL OF THE SENATE

Thursday, June 24, 2021.

Met at six minutes past one o'clock P.M. (Mr. Brownsberger in the Chair).

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

Pledge of allegiance.

Communications.

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

Communication from the Honorable Karen E. Spilka, President of the Senate, relative to her appointment of Michele Rhee (under Section 26 of Chapter 260 of the Acts of 2020) to the Rare Disease Advisory Council (received June 15, 2021);

Rare Disease Advisory Council.

Communication from the Honorable Karen E. Spilka, President of the Senate, relative to her appointment of Meegan Simpson-Best (under Section 69 of Chapter 3 of the General Laws) to the permanent commission on the Status of Grandparents Raising Grandchildren (received June 15, 2021);

Status of Grandparents Raising Grandchildren,-- commission.

Communication from the Honorable Karen E. Spilka, President of the Senate, relative to her appointment of Donna Haghghat and Segun Idowu (under Section 2, line item 7002-2021 of Chapter 227 of the Acts of 2020) to the Community Empowerment and Reinvestment Grant Board (received June 22, 2021); and

Community Empowerment and Reinvestment Grant Board.

Communication from His Excellency the Governor, Charles D. Baker, relative to the appointment of Ms. Daisy M. Hernandez (under Section 103 of Chapter 253 of the Acts of 2020) to the Commission to Review and Make Recommendations on Improving, Modernizing and Developing Comprehensive Protocols for the Training of State and County Correction Officers and Juvenile Detention Officers (received June 23, 2021).

Training of State and County Correction Officers and Juvenile Detention Officers commission.

Reports.

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

Report of the Department of Public Health (pursuant to Sections 5, 20 and 21 of Chapter 111 of the General Laws) relative to inspections of Dartmouth I.C.E. Facility, Bristol County Modular Building, Bristol County Jail and House of Correction, Dartmouth Women's Center and Hampden County Jail and House of Correction (received June 17, 2021);

DPH,-- facility inspections. SD2658

Report of the Rural Policy Advisory Commission (pursuant to Section 66(g) of Chapter 23A of the General Laws) submitting its FY21 Annual Report (copy having been forwarded as required to the joint committee on Economic Development and Emerging Technologies) (received June 22, 2021);

RPAC,-- FY21 annual report. SD2660

Report of the Division of Insurance (pursuant to Section 32 of Chapter 219 of the Acts of 2018) submitting its 2020 report on home insurance coverage regarding dog claims (received June 23, 2021); and

DOI,-- dog claims report. SD2663

Report of the State Retiree Benefits Trust Board (pursuant to Section 24(f) of Chapter 32A of the General Laws) submitting its budget for fiscal year 2022 (received June 23, 2021).

SRBT,-- FY22 budget. SD2664

*Petitions.*

Petitions were severally presented and referred as follows:

By Mr. Fattman, a petition (accompanied by bill, Senate, No. 2482) of Ryan C. Fattman (by vote of the town) for legislation to amend the town of Sutton Home Rule Charter;

Sutton,-- charter.

**Under Senate Rule 20, to the committee on Municipalities and Regional Government.**

**Sent to the House for concurrence.**

By Ms. Moran, a petition (accompanied by bill) (subject to Joint Rule 12) of Susan L. Moran for legislation to protect the Upper Cape water supply reserve; and

Upper Cape water supply reserve. SD2659 Middleborough and Carver,-- bridge. SD2661

By Mr. Pacheco, a petition (accompanied by bill) (subject to Joint Rule 12) of Marc R. Pacheco for legislation to designate a certain bridge in the towns of Middleborough and Carver as the Medal of Honor Bridge;

**Severally, under Senate Rule 20, to the committees on Rules of the two branches, acting concurrently.**

*Reports of a Committee.*

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill relative to temporary waiver of interest and penalties for late payment of certain local assessments during the COVID-19 epidemic (Senate, No. 1363);

Local assessments,-- waiver.

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

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill relative to remote town meetings (Senate, No. 1334);

Town meetings,-- remote.

**Read and, under Senate Rule 26, referred to the committee on Rules.**

By Mr. Cronin, for the committee on Municipalities and Regional Government, on petition, a Bill relative to the terms for members of the city of Somerville's Zoning Board of Appeals (Senate, No. 1340) [Local approval received];

Somerville,-- zoning board.

By the same Senator, for the same committee, on petition, a Bill relative to marijuana-related revenue in the town of Millbury (Senate, No. 1349) [Local approval received];

Millbury,-- marijuana revenue.

By the same Senator, for the same committee, on petition, a Bill authorizing the investment of trust funds benefiting the town of Sherborn library (Senate, No. 1355) [Local approval received];

Sherborn library,-- trust funds.

By the same Senator, for the same committee, on petition, a Bill authorizing the town of Westport to convey a non-exclusive access easement in a portion of town property at 493 Old County Road to benefit 497 Old County Road (Senate, No. 1357) [Local approval received];

Westport,-- land transfer.

By the same Senator, for the same committee, on petition, a Bill providing a tax exemption for certain qualifying real estate in the town of Hamilton (Senate, No. 1362) [Local approval received];

Hamilton,-- tax exemption.

By the same Senator, for the same committee, on petition, a Bill authorizing certain investments by the Treasurer of the town of Milton (Senate, No. 1364) [Local approval received]; and

Milton,-- investments.

By the same Senator, for the same committee, on petition, a Bill amending Section 9 of the 1921 City of Lowell Charter (Senate, No. 2443) [Local approval received];

Lowell,-- charter.

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

PAPER FROM THE HOUSE.

A Bill financing improvements to municipal roads and bridges (House, No. 3903, amended,-- on House, No. 57), -- **was read and, under Senate Rule 27, referred to the committee on Ways and Means.**

Municipal roads and bridges.

*Resolutions.*

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

Resolutions (filed by Mr. O'Connor) "congratulating Braeden Ford on his elevation to the rank of Eagle Scout";

Braeden Ford.

Resolutions (filed by Mr. O'Connor) "congratulating Aiden O'Sullivan on his elevation to the rank of Eagle Scout";

Aiden O'Sullivan.

Resolutions (filed by Mr. O'Connor) "congratulating Joshua Patriquin on his elevation to the rank of Eagle Scout"; and

Joshua Patriquin.

Resolutions (filed by Mr. O'Connor) "congratulating Ian Sovick on his elevation to the rank of Eagle Scout."

Ian Sovick.

PAPER FROM THE HOUSE

*Engrossed Bill Returned with Recommendation of Amendment.*

A message from His Excellency the Governor, returning with recommendation of amendment the engrossed Bill relative to transferring federal funds to the federal COVID-19 response fund (see House, No. 3827, amended) [for message, see House, No. 3902],-- came from the House with endorsement that the House *rejected* the amendment recommended by the Governor (as approved by the committee on Bills in the Third Reading) and had adopted the following amendment, by striking out all after the enacting clause and inserting in place thereof the following:

COVID-19,-- federal funds.

"SECTION 1. Subsection (b) of section 2JJJJ of chapter 29 of the General Laws, inserted by section 1 of chapter 254 of the acts of 2020, is hereby amended by adding the following sentence:- The fund shall not be subject to section 5C.

SECTION 2. Said section 2JJJJ of said chapter 29 is hereby further amended by striking out subsection (c), as so inserted, and inserting in place thereof the following subsection:-

(c) Amounts credited to the fund may be expended for any purpose allowed under subsection (c) of section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802.

SECTION 3. Notwithstanding any general or special law to the contrary, not later than 7 days after the effective date of this act, the comptroller shall transfer all unexpended funds, totaling not less than \$5,176,987,249, allocated to the commonwealth from the Coronavirus State Fiscal Recovery Fund pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802, to the federal COVID-19 response fund established in section 2JJJJ of chapter 29 of the General Laws.

SECTION 4. Notwithstanding any general or special law to the contrary, upon calculating the extent of the commonwealth's reduction in revenue pursuant to federal guidance related to section 602(c)(1)(C) of Title VI of the federal Social Security Act, 42 U.S.C. 802, the secretary of administration and finance shall submit the calculation, including the methodology used to determine said calculation, to the senate and house committees on ways and means; provided, however, that the calculation and methodology

shall be submitted in accordance with this section for any year that the calculations are required to be calculated in accordance with federal guidance.”

The message was read; and, under the provisions of Article LVI of the Amendments to the Constitution, the bill was before the Senate subject to amendment and re-enactment.

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

After debate, on motion of Mr. Tarr, the question on the adoption of the Governor’s recommendation of amendment was determined by a call of the yeas and nays, at twenty minutes past one o’clock P.M., as follows, to wit (yeas 3 — nays 36) [**Yeas and Nays No. 49**]:

**YEAS.**

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

Tarr, Bruce E. — **3.**

**NAYS.**

Barrett, Michael J.  
Boncore, Joseph A.  
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. — **36.**

**The yeas and nays having been completed at twenty-six minutes past one o’clock P.M., the Governor’s amendment was *rejected*, in concurrence.**

Mr. Rodrigues moved that the Senate concur in the House amendment with a further amendment, by striking out section 4 and inserting in place thereof the following section:-

“SECTION 4. Notwithstanding any general or special law to the contrary and after the transfer under section 3, the secretary of administration and finance shall expend any remaining funds not subject to the transfer under section 3 allocated to the commonwealth from the Coronavirus State Fiscal Recovery Fund received pursuant to section 602 of Title VI of the federal Social Security Act, 42 U.S.C. 802, to protect against emerging public health threats or to support new, heightened or emergency public health response efforts against the 2019 novel coronavirus and variants thereof.”

**The motion prevailed; and the Senate concurred in the House amendment with the further amendment.**

**Sent to the House for concurrence in the further Senate amendment.**

*Orders of the Day.*

The Orders of the Day were considered, as follows:

Bills

Authorizing the town of Middleborough to change the name of its Board of Selectmen to Select Board (Senate, No. 1354);

Second reading bills.

Authorizing Nikos Sofronas to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (Senate, No. 1697);

Authorizing Diana Grullon to take the civil service examination for the position of firefighter in the city of Haverhill notwithstanding the maximum age requirement (Senate, No. 1698);

Authorizing the appointment of special firefighters in the city of Somerville (Senate, No. 1743);

Relative to the Fairhaven Fire Department (Senate, No. 1747); and

Amending the Newbury general by-laws from board of selectmen to select board (Senate, No. 2451);

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

Reorganization Plan No. 1 of 2021, reorganizing certain licensing agencies of the executive department (printed in House, No. 3774),-- was considered, the question being shall this reorganization plan be approved.

Licensing agencies,-- reorganization.

**On motion of Mr. Rodrigues, the further consideration thereof was postponed until the next session.**

The Senate Bill to upgrade hen welfare and establish uniform cage-free standards (Senate, No. 2470),-- was read a second time.

Cage-free,-- uniform standards.

After remarks, the pending amendment, previously recommended by the committee on Ways and Means, substituting a new draft entitled "An Act upgrading hen welfare and establishing uniform cage-free standards (Senate, No. 2481),-- was considered; and it was adopted.

**The bill (Senate, No. 2481) was then ordered to a third reading, read a third time and passed to be engrossed.**

**Sent to the House for concurrence.**

The House Bill making appropriations for fiscal year 2021 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3871),-- was read a second time.

Supplemental appropriations bill.

After remarks, the pending amendment previously recommended by the committee on Ways and Means, striking out all after the enacting clause and inserting in place thereof of the text of Senate document numbered 2480, was considered.

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

1

"SECTION XX. Item 7008-1116 of said section 2 of chapter 227 is hereby further amended by inserting after the words 'Salem common in the city of Salem' the following words:- ' ; provided further, that such funds shall be made available through June 30, 2022.'"

After remarks, the amendment was adopted.

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

2

**UNCORRECTED PROOF.**

“SECTION XX. Item 1410-0250 of section 2 of chapter 227 of the Acts of 2020 is hereby amended by inserting after the words ‘fiscal year 2020’ the following words:- ‘; and provided further that not less than \$800,000 shall be expended for Veteran's Inc. in Worcester’; and by striking out the figure ‘\$3,582,655’; and inserting in place thereof the following figure:- ‘\$3,774,908’.”

The amendment was *rejected*.

Messrs. Gomez, Lesser and Collins moved that the proposed new text be amended in section 2 by inserting at the end thereof the following:- “; provided further that not less than \$150,000 shall be expended for the city of Springfield Body Worn Camera Program;” and by striking the figure “\$12,500,000” and inserting in place thereof the figure:- “\$12,650,000”.

4

Pending the question on adoption of the amendment, Mr. Collins moved that the amendment (Gomez et al) be amended by adding the following words:- “provided further that the peace officer standards and training commission shall not consider for the purposes of initial certification as defined in Massachusetts General Law of the acts of 2020 the work history of any law enforcement officer whose department has instituted the use of body cameras prior to the institution of such use of said body cameras; provided further that any complaints submitted to the peace officer standards and training commission be done so under the pains and penalties of perjury.”

4.1-R1

The further amendment was *rejected*.

The pending amendment (Gomez et al) was then considered; and it was *rejected*.

Ms. Creem in the Chair, Messrs. Moore, Keenan, Timilty and Collins, Ms. Chandler, Ms. Gobi, Messrs. Tarr, Cronin, Brady, Pacheco, Boncore, Montigny, O'Connor, Feeney and Fattman, Ms. Moran and Ms. DiZoglio moved that the proposed new text be amended by adding after section 7, the following section:-

8-R1

“SECTION 7A. Section 100 of chapter 32 of the General Laws, as so appearing, is hereby amended by inserting after the word ‘death’, in line 13, the following words:- ‘, or if a police officer while at the scene of an emergency in the performance of the police officer’s duties is killed or sustains injuries which result in the police officer’s death’.”; and by inserting after section 40 the following section:-

“SECTION 40A. Section 7A shall take effect as of June 3, 2021.”

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty minutes past two o'clock P.M., on motion of Mr. Moore, as follows, to wit (yeas 40 – nays 0) **[Yeas and Nays No. 50]:**

**YEAS.**

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

**UNCORRECTED PROOF.**

Eldridge, James B.  
Fattman, Ryan C.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gobi, Anne M.

Rodrigues, Michael J.  
Rush, Michael F.  
Spilka, Karen E.  
Tarr, Bruce E.  
Timilty, Walter F.  
Velis, John C. – **40.**

**NAYS – 0.**

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

Mr. Keenan moved that the proposed new text be amended by inserting after the word “board” on line 673 the following words:- “. Each subcommittee shall have three board members. The appointee by the governor who has experience in transportation operations and safety shall chair the subcommittee on safety, health and environment. The appointee by the governor who has experience in public or private finance shall chair the subcommittee on audit and finance. Each subcommittee shall meet not less than 1 time every other month”.

9

After remarks, the amendment was adopted.

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

13

“SECTION XX. The Secretary of Administration and Finance shall develop a comprehensive analysis and report detailing the cost to municipalities in the commonwealth of compliance with chapter 253 of the acts of 2020 on an annual basis, for the current fiscal year and the next four years following the passage of this act. Said analysis and report shall include, but not be limited to, the costs of: training, overtime and other personnel costs to facilitate training, increased staffing levels, increased record keeping and maintenance, required technology and information management systems, and other items attributable to compliance with said law.

In carrying out the provisions of this section the secretary shall consult with the Executive Office of Public Safety and Homeland Security, the Municipal Police Training Committee, the Peace Officer Standards and Training Commission, the Division of Local Services of the Department of Revenue, and the Massachusetts Municipal Association, and shall conduct not less than one public hearing, which may utilize remote technology.

Said report and analysis shall include the costs identified in this section, currently and potentially available sources of funding to meet those costs, and any disparities arising therefrom, provided further that said analysis and report, together with any legislative recommendations, shall be filed with the Committees on Ways and Means of the House and Senate, the Joint Committees on Public Safety and Homeland Security and Local Affairs, and the clerks of the House and Senate, whom shall post such documents electronically in a publicly accessible manner, not later than 90 days following the passage of this act.”

After debate, the question on adoption of the amendment 13 was determined by a call of the yeas and nays, at twenty-three minutes before three o'clock P.M., on motion of Mr. Tarr, as follows, to wit (yeas 9 – nays 30) **[Yeas and Nays No. 51]:**

**YEAS.**

Comerford, Joanne M.  
Cyr, Julian  
DiZoglio, Diana  
Fattman, Ryan C.  
Gobi, Anne M.

O'Connor, Patrick M.  
Pacheco, Marc R.  
Tarr, Bruce E.  
Timilty, Walter F. – **9.**



NAYS.

- |                          |                       |
|--------------------------|-----------------------|
| Barrett, Michael J.      | Gomez, Adam           |
| Boncore, Joseph A.       | Hinds, Adam G.        |
| Brady, Michael D.        | Jehlen, Patricia D.   |
| Brownsberger, William N. | Keenan, John F.       |
| Chandler, Harriette L.   | Kennedy, Edward J.    |
| Chang-Diaz, Sonia        | Lesser, Eric P.       |
| Collins, Nick            | Lewis, Jason M.       |
| Creem, Cynthia Stone     | Lovely, Joan B.       |
| Crichton, Brendan P.     | Montigny, Mark C.     |
| Cronin, John J.          | Moore, Michael O.     |
| DiDomenico, Sal N.       | Moran, Susan L.       |
| Eldridge, James B.       | Rausch, Rebecca L.    |
| Feeney, Paul R.          | Rodrigues, Michael J. |
| Finegold, Barry R.       | Rush, Michael F.      |
| Friedman, Cindy F.       | Velis, John C. – 30.  |

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

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

14

“SECTION \_ . Item 4512-2023 of section 2 of chapter 227 of the acts of 2020 is hereby amended by inserting after the words ‘food insecure and housing insecure residents of the county of Barnstable’ the following words:- ‘; and provided further, that such funds shall be made available through June 30, 2022.’

SECTION \_ . Item 1599-1232 of section 2A of chapter 124 of the acts of 2020 is hereby amended by inserting after the words ‘at the discretion of the director of the Barnstable county department of health and the environment’ and after the word ‘Falmouth’ the following words:- ‘; and provided further, that such funds shall be made available through June 30, 2022.’”

The amendment was adopted.

Mr. Cyr and Ms. Moran moved that the proposed new text be amended by inserting after section 40 the following 2 sections:-

15-R1

“SECTION 40A. The special commission on ocean acidification established pursuant to section 97 of chapter 209 of the acts of 2018 and revived and continued pursuant to section 45 of chapter 201 of the acts of 2020 is hereby revived and continued to December 31, 2021. The special commission shall file its report, together with drafts of legislation necessary to carry out its recommendations, with the clerks of the senate and house of representatives and the joint committee on environment, natural resources and agriculture not later than December 31, 2021.

SECTION 40B. The task force established pursuant to section 2 of chapter 93 of the acts of 2020 and revived and continued pursuant to section 90 of chapter 124 of said acts is hereby revived and continued to December 31, 2021. The task force shall file its recommendations with the clerks of the senate and house of representatives and the house and senate committees on ways and means not later than December 31, 2021.”

The amendment was adopted.

Messrs. Lesser, O'Connor and Feeney moved that the proposed new text be amended by inserting after section 10 the following section:-

17-R1

“SECTION 10A. Section 4G of chapter 40J of the General Laws, as appearing in the 2018 Official Edition, is hereby amended by adding the following 2 subsections:-

(c) Notwithstanding the requirements of subsections (a) and (b), the fund may be used

to support technology and innovation ecosystems through grants or loans for facilities that foster innovation, demonstration, research and product development in emerging technologies and systems of strategic importance to the commonwealth including, but not limited to, artificial intelligence, robotics, quantum computing, advanced manufacturing, cyber security, financial technology, blockchain and marine technologies. Grants may be made to public entities, public or private universities or private business entities; provided, however, that a private university or business entity shall not be eligible for assistance from the fund unless the corporation has made a finding that a grant to such university or entity will result in a significant public benefit and the private benefit is incidental to a legitimate public purpose. Capital assets acquired with grant funds may be privately-owned or leased to a private entity if necessary to achieve the public purpose of the grant.

(d) Annually, not later than October 1, the corporation shall file a report with clerks of the senate and house of representatives, the joint committee on higher education, the joint committee on economic development and emerging technologies and the senate and house committees on ways and means detailing the grants and loans issued under this section.”

The amendment was adopted.

Ms. Moran and Mr. Collins moved that the proposed new text be amended by striking out, in section 13, in line 631, the figure “5” and inserting in place thereof: “9” and by inserting, in line 639, the following words: “In appointing members, the governor shall ensure that each of the following geographic regions of the commonwealth is represented: the central area, the greater Boston area, the metro-west area, the northeast area, the southeast area, the Cape and Islands, and the western area.”

18

Pending the question on adoption of the amendment, Mr. Collins moved that the amendment (Moran et al) be amended by adding the following: “provided further that 1 (one) member be appointed by the Mayor of Boston.”

18.1

The further amendment was *rejected*.

The pending amendment (Moran et al) was then considered; and it was *rejected*.

Mr. Hinds moved that the proposed new text be amended by inserting after section 40 the following section:-

22-R1

“SECTION 40A. Chapter 156 of the acts of 2020, as amended by the section 44 of chapter 201 of the acts of 2020, is hereby further amended by striking out the words “the lifting of the state of emergency concerning the novel coronavirus disease outbreak declared by the governor on March 10, 2020 or for 210 days from July 31, 2020, whichever is sooner” and inserting in place thereof the following words:- January 1, 2022.”

After remarks, the amendment was adopted.

Mr. Barrett moved that the proposed new text be amended by inserting after section 16 the following section:-

26-R1

“SECTION 16A. Said item 7008-1117 of said section 2A of said chapter 142, as most recently amended by said section 31 of said chapter 201, is hereby further amended by striking out the figure ‘2021’, the second time it appears, and inserting in place thereof the following figure:- ‘2022.’”

The amendment was adopted.

Ms. Moran, Messrs. Collins and O'Connor moved that the proposed new text be amended by striking out, in section 2, in item 1599-1211, in line 75, the figure, “\$3,208,000” and inserting in place thereof the following figure:- “\$3,408,000”; by inserting, in line 80, the following words:- “, and trauma, mental health, and substance use disorder training”; and by striking out, in line 95, the figure “\$12,500,000” and inserting in place thereof the following figure:- “\$12,700,000”.

33

Pending the question on adoption of the amendment, Mr. Collins moved that the amendment (Moran et al) be amended by adding the following:- “provided further that data be collected by the Executive Office of Public Safety and Security pertaining to injuries sustained by law enforcement officers in the line of duty annually by June 30.” 33.1

The further amendment was *rejected*.

The pending amendment (Moran et al) was then considered; and it was *rejected*.

Ms. Creem moved that the proposed new text be amended by inserting the following section: 34

“SECTION \_\_ . Chapter 227 of the Acts of 2020 is hereby amended in item 8910-7110 by striking the words:- 'provided further, that not later than February 1, 2021, the association shall submit a report to the house and senate committees on ways and means detailing, for each sheriff's office: (i) all services and goods provided to inmates in which the sheriff's office receives revenue'; and inserting in place thereof the following:- ‘provided further, that not later than February 1, 2021, the association shall submit a report to the house and senate committees on ways and means detailing, for each sheriff's office: (i) all services and goods provided to inmates in which the sheriff's office receives revenue, including, but not be limited to, an accounting and documentation of how commissions and fees derived from the provision of telephone or other telecommunication services to prisoners have been allocated for each of the past three fiscal years, provided further that such documentation shall include each contract and addendums entered into with such provider of telephone or telecommunication services for such period and shall include an itemized listing of amounts expended on inmate treatment and programs from appropriated funds or grants and a separate listing of such expenditures made from such commissions and fees;”

The amendment was *rejected*.

Mr. Feeney moved that the proposed new text be amended by inserting after section X the following section:- 35

“SECTION X. Section 3 of chapter 84 of the acts of 1912 is hereby amended by striking out the words “the degree of Bachelor of Arts and Master of Arts” and inserting in place thereof the following words:- "and confer such degrees as are usually conferred by colleges in the commonwealth, except medical degrees and degrees of juris doctor and master of laws.”

The amendment was *rejected*.

Mr. Tarr moved that the proposed new text be amended by inserting after section \_ the following sections:- 37-R3

“SECTION X. Notwithstanding any general or special law to the contrary, the Executive Office of Labor and Workforce Development shall promulgate regulations to require that claimants receiving federal pandemic unemployment compensation comply with all relevant federal regulations pertaining to such benefit, conduct a work search as required by the department of unemployment assistance, and certify in writing in a form prescribed by the department of unemployment assistance that the claimant is unemployed due to a specific cause related to the COVID-19 pandemic.

Section XX. In carrying out the provisions of Section X, the Secretary of Labor and Workforce development shall seek and obtain any necessary waivers or special authorizations from the federal department of labor.”

After remarks, the amendment was *rejected*.

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

PAPER FROM THE HOUSE

*Emergency Preamble Adopted.*

An engrossed Bill relative to transferring federal funds to the federal COVID-19 response fund (see House, No. 3827, 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 5 to 0.

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

*Orders of the Day.*

The Orders of the Day were further considered as follows:

The House Bill making appropriations for fiscal year 2021 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3871),-- was considered, the main question being on ordering the bill to a third reading.

Supplemental appropriations bill.

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

39

“SECTION \_ . Notwithstanding any general or special law to the contrary, Massachusetts Operational Services Division shall conduct a review of the Department of the State Police’s recent series of procurements seeking towing and recovery services on behalf of the department to ensure best practices were adhered too. The audit shall include a review of the procurement process and, where applicable, the administration of new contracts. The Division shall submit a report detailing the process by which the Department conducted its procurements; any inconsistencies in the bidding and award of similar procurements; the identification of best management practices, if any, that should have used in conducting the bidding and award of these contracts; and, the Department’s adherence to the towing and recovery contracts once awarded. Said review and recommendations shall be submitted to the House and Senate Clerks, no later than October 1, 2021.”

The amendment was *rejected*.

Messrs. Lesser, Tarr and O'Connor moved that the proposed new text be amended after section 3, by adding the following section:-

40

“SECTION X. (a) Notwithstanding any general or special law to the contrary, there shall hereby be established a commission to be known as the School Funding Commission to study funding options for career technical education, or CTE programs, renovation, replacement, or building wings on to vocational schools, and for other needed new public schools.

(b) This commission shall make recommendations which shall include but not be limited to the following:

(1) Options to raise additional revenue to enable the Massachusetts School Building Authority to adequately finance public comprehensive and vocational technical school buildings by contributing through reimbursements a higher percentage rate towards construction and for other needed public schools;

(2) Whether the Massachusetts School Building Authority may spend money on equipment, or if they are limited to funding for educational institution structures;

(3) Whether the Massachusetts School Building Authority should add incentives for

the approved chapter 74 educational spaces in programs that align to labor market demand;

(4) How to simplify state law, particularly section 16 of chapter 71 of the General Laws, so that all regional school districts can secure bonding for critical capital projects through the district-wide referendum process outlined in subsection (n) of said section 16 of said chapter 71;

(5) How to change language in subsection (d) of said section 16 of said chapter 71 to allow all regional school districts the option to secure project bonding approval upon a two-thirds vote of approval of each legislative body of a municipality comprising the district; and

(6) Any other recommendations relative to CTE funding and other public school funding at the commission's discretion.

(c) Recommendations through the study, which shall include the findings of the study and any proposed drafts of legislation, shall be made no later than February 28, 2022, with a formal report filed to the Governor, the Speaker of the House, the Senate President, the Chair of the House Committee on Ways and Means, the Chair of the Senate Committee on Ways and Means, the Joint Committee on Education, the Joint Committee on Economic Development and Emerging Technologies, and the State Treasurer.

(d) The commission membership shall consist of 15 representatives:

(1) the Secretary of Labor and Workforce Development or a designee from within the office of Labor and Workforce Development;

(2) the Secretary of Education or a designee from within the Office of Education;

(3) the Associate Commissioner for College, Career, and Technical Education within the Department of Elementary and Secondary Education or a designee from within the Department of Elementary and Secondary Education, who shall serve as chair;

(4) the Chief Executive Office of the Massachusetts School Building Authority or a designee from within the Massachusetts School Building Authority;

(5) two to be appointed by the Governor;

(6) three to be appointed by the Speaker of the House of Representatives;

(7) three to be appointed by the Senate President;

(8) one to be appointed by the Massachusetts Association of Vocational Administrators;

(9) one to be appointed by the Massachusetts Association of School Superintendents; and

(10) one to be appointed by the Alliance for Vocational Technical Education.

(e) The committee membership must be appointed in full no later than 30 days of this section becoming law."

The amendment was *rejected*.

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

41-R1

"SECTION\_. Notwithstanding any general or special law to the contrary the department of environmental protection shall develop and implement a plan on food waste diversion including but not limited to establishing grant programs. Said plan and recommendations shall be submitted to the clerks of the house and senate by December 31, 2021."

The amendment was *rejected*.

Messrs. Timilty, Feeney, Moore, Collins and Tarr, Ms. DiZoglio, Messrs. Brady, Pacheco and O'Connor moved that the proposed new text be amended by striking out in its entirety section 27 and inserting in place thereof the following:-

6-R1

"SECTION 27. Item 8324-0000 of said section 2 of said chapter 227 is hereby amended by striking out the figure '\$31,897,644' and inserting in place thereof the

following figure:- '\$32,177,644'; and

In said section 2 of said chapter 227, inserting after the words "General Laws", the second time they appear, the following words:- ; provided further, that notwithstanding any general or special law to the contrary, such funds may be expended to pay \$5,000 stipends to the members of hazardous materials mitigation emergency response teams in fiscal year 2021; provided further, that such funds shall be made available through June 30, 2022."

The amendment was *rejected*.

Messrs. Timilty, Feeney, Moore, Collins and Tarr, Ms. DiZoglio, Messrs. Brady, Pacheco, Keenan and O'Connor moved that the proposed new text be amended by inserting at the end thereof the following section:-

7

"SECTION XX. Section 5 of chapter 21K of the General Laws is hereby amended by striking out, in line 140, the figure '\$3,000' and inserting in place thereof, the following figure:- \$5,000"

The amendment was *rejected*.

Mr. Rodrigues moved that the proposed new text be amended in section 40, by striking out, in lines 840 and 841, the words "and the joint committee on tourism, arts and cultural development" and inserting in place thereof the following words:- "the joint committee on tourism, arts and cultural development and the house and senate committees on ways and means".

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The amendment was adopted.

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

**The bill, as amended, was then ordered to a third reading, read a third time and passed to be engrossed, in concurrence with the amendment [For text of Senate amendment, printed as amended, see Senate, No. XXX].**

**Sent to the House for concurrence in the amendment.**

PAPER FROM THE HOUSE

*Engrossed Bill.*

An engrossed Bill relative to transferring federal funds to the federal COVID-19 response fund (see House, No. 3827, 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 re-enacted and signed by the President and again laid before the Governor for his approbation.

Bill laid before the Governor.

*Moment of Silence.*

The Chair (Ms. Creem), members, guests and staff stood in a moment of silence and reflection to the memory of Rafael Nunes Andrade and Tiago Nunes Ledo Depina.

Moment of silence.

*Order Adopted.*

On motion of Mr. Brownsberger,--

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

Time of meeting.

*Adjournment in Memory of  
Rafael Nunes Andrade and Tiago Nunes Ledo Depina*

The Senator from Plymouth and Bristol, Mr. Brady, moved that when the Senate adjourns today it do so in memory of Rafael Nunes Andrade and Tiago Nunes Ledo Depina of Brockton.

Tragedy struck in the city of Brockton on May 15th, when cousins Rafael Nunes Andrade, 13, and Tiago Nunes Ledo Depina, 12, were found drowned in the waters of Waldo Lake at D.W. Field Park in Brockton. The two boys were skipping rocks by the lake when, it is believed, one of them fell in and the other boy followed attempting to save him. Neither boy knew how to swim. The two boys had only recently moved to the city from Cape Verde. The entire city of Brockton and the Cape Verdean community has been devastated by the tragic loss of such young and innocent lives. Both boys enjoyed soccer, videogames, exploring the city, playing, and looking out for their cousins and siblings.

Rafael Nunes Andrade, son of Emanuel Nunes and Euridice Lina Nunes is survived by his parents as well as his brothers Ronilson Nunes and Neelias Nunes Pires; his sister Rafaela Nunes; his paternal and maternal grandparents; and many aunts, uncles, and cousins. Tiago Nunes Ledo DePina is survived by his parents Teodoro Andrade Ledo DePina and Solange Nunes as well as his brother Diego Ledo Pina; his sisters Taymara Ledo DePina and Rosalisa Nunes Ledo DePina; his maternal grandparents Domingas DeAndrade and Joao Nunes; and many aunts, uncles and cousins.

There are no words that properly express the sadness which follows a child's passing. We pray for their families as they mourn this tragic loss.

Accordingly, as a mark of respect in memory of Rafael Nunes Andrade and Tiago Nunes Ledo Depina, at eight minutes past three o'clock P.M., on motion of Mr. Brady, the Senate adjourned to meet again on Monday next at eleven o'clock A.M.