

Friday, July 29, 2022 (at 11:01 o'clock A.M.).

At the request of the Chair (Mr. Donato), the members, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 8 of Article LXXXIX of the Amendments to the Constitution) recommending legislation relative to certain land in the town of Winchester (House, No. 5142), was filed this day in the office of the Clerk.

Winchester,—
land.

The message was read; and it was referred, on motion of Mr. Day of Stoneham, with the accompanying draft of a bill, to the committee on Rules.

Subsequently, the noon recess having terminated (Ms. Hogan of Stow having taken the Chair), Mr. Galvin of Canton, for said committee, reported on the foregoing message, a Bill relative to certain land in the town of Winchester (printed in House, No. 5142). Read; and referred under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Honan of Boston, for said committee, then reported that the matter be scheduled for consideration by the House.

Under suspension of the rules, on further motion of Mr. Day, the bill was read a second time forthwith; and it was ordered to a third reading.

*Message from the Governor — Bill Returned with
Recommendation of Amendments.*

Ms. Hogan of Stow being in the Chair,—

A message from His Excellency the Governor returning with recommendation of amendments the engrossed Bill driving clean energy and offshore wind [see House, No. 5060] (for message, see House, No. 5141), was filed this day in the office of the Clerk.

Clean energy
and offshore
wind.

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

Pending the question on adoption of the amendments recommended by His Excellency, the bill was referred, on motion of Ms. Garlick of Needham, to the committee on Bills in the Third Reading.

Guests of the House.

The Chair (Ms. Hogan of Stow), declared a brief recess; and introduced the family of Sofia Forgione, a member of the staff of the Speaker’s Office. Sofia’s family members, including her Aunt, were visiting from Milan, Italy. They were the guests of Speaker Mariano of Quincy.

Family of
Sofia
Forgione.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Kilcoyne of Clinton, a petition (accompanied by bill, House, No. 5138) of Meghan Kilcoyne (by vote of the town) that the town of Berlin be authorized to grant two additional licenses for the sale of all alcoholic beverages not to be drunk on the premises; and

Berlin,—
liquor
licenses.

By Ms. Tyler of Boston, a petition (accompanied by bill, House, No. 5139) of Chynah Tyler (with the approval of the mayor and city council) that the city of Boston be authorized to grant five additional licenses for the sale of all alcoholic beverages to be drunk on the premises.

Boston,—
liquor
licenses.

Severally to the committee on Consumer Protection and Professional Licensure.

By Mr. Philips of Sharon, a petition (accompanied by bill, House, No. 5140) of Edward R. Philips and others (by vote of the town) relative to the charter of the town of Walpole. To the committee on Municipalities and Regional Government.

Walpole,—
charter.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The House Bill authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Canton (House, No. 4250), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3074. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Canton,—
land.

The House Bill authorizing the town of Oak Bluffs and the Martha's Vineyard Land Bank Commission to exchange certain parcels of land (House, No. 4321), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3077. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Oak Bluffs,—
land.

The House Bill authorizing the town of Pepperell to convey a certain parcel of land to the Commonwealth (House, No. 4794), came from the Senate passed to be engrossed, in concurrence, with amendments striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3076; and inserting before the enacting clause the following emergency preamble:

Pepperell,—
land.

“Whereas, The deferred operation of this act would tend to defeat its purpose, which is to authorize forthwith the exchange of certain parcels of land between the commonwealth and the town of Pepperell, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”

The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

The House Bill authorizing the conveyance of easements by the city of Fitchburg to the town of Westminster (House, No. 4946), came from the Senate passed to be engrossed, in concurrence, with an amendment in section 4, in line 22, striking out the words “general municipal purpose use” and inserting in place thereof the words “water supply protection and passive recreation”. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Fitchburg and
Westminster,—
land.

The House Bill to extend live horse racing and simulcasting in the Commonwealth (House, No. 5047, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3070. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Simulcasting.

The House Bill to permit the creation of a right-turn lane from Edgell road to Central street in the city of Framingham (House, No. 5095), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3079. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Framingham,—
land.

A Bill authorizing the Division of Capital Asset Management and Maintenance to grant easements to the town of Hubbardston for the reconstruction of the Evergreen Road bridge over Mason Brook (Senate, No. 3073) (on Senate bill No. 2064), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Hubbardston,—
land.

A petition (accompanied by bill, Senate, No. 3071) of Sal N. DiDomenico (with approval of the mayor and city council) for legislation relative to police cadets in the city of Everett, was referred, in concurrence, to the committee on Public Service.

Everett,—
police
cadets.

Reports of Committees.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on a petition, a Bill authorizing the release of a certain sewer easement in the town of Norfolk (House, No. 5102). Read; and referred, under Rule 33, to the committee on Ways and Means.

Norfolk,—
land.

By Mr. Cusack of Braintree, for the committee on Revenue, on a petition, a Bill relative to the valuation of long term residences (House, No. 5002).

Property tax
valuations.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Norwell to establish a means tested senior citizen property tax exemption (House, No. 5063) [Local Approval Received].

Norwell,—
property tax
exemption.

Severally read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Donato of Medford being in the Chair,—

The House Bill relative to assessors certificates (House, No. 2206), having been reported by the committee on Bills in the Third Reading to be correctly drawn, was discharged from its position in the Orders of the Day and read a third time, under suspension of Rule 47, on motion of Mr. Mom of Lowell.

Assessors,—
certificates.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by substitution of a bill with the same title (House, No. 5137), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

House bills

Relative to electronic meetings and voting in condominiums (House, No. 1416); and

Condominiums.

Amending the charter of the town of Swampscott (House, No. 4773);

Swampscott.

Severally were discharged from their positions in the Orders of the Day and read a second time, under suspension of Rule 47, in each instance, on motion of Mr. Mom of Lowell; and they were ordered to a third reading.

Recess.

At ten minutes after eleven o'clock A.M. (Friday, July 29), on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at ten minutes after one o'clock the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Silent Tribute.

During the session, the Chair (Ms. Hogan of Stow) declared a brief recess and at the request of Representatives Kushmerek of Fitchburg and Xiarhos of Barnstable, the members, guests and employees stood for a moment of silent tribute to the memory of K9 Frankie, a Massachusetts State Police K9 who was killed in the line of duty while attempting to apprehend a wanted fugitive in Fitchburg on Tuesday, July 26.

K9 Frankie.

K9 Frankie was a member of the State Police for nine years and was highly-decorated for his service. In 2017, K9 Frankie and his handler, State Police Sergeant David Stucenski, were awarded the Medal of Valor at the annual George L. Hanna Awards for Bravery. Sergeant Stucenski and Frankie also were recipients of the State Police Medal of Merit in 2017, and three awards from the United States Police Canine Association in 2014, among other honors.

K9 Frankie is the first State Police K9 ever killed in the line of duty and is the first police dog transported to a hospital under Nero's Law, which was signed into law earlier this year. K9 Frankie and his service to the Commonwealth never will be forgotten.

Motions to Discharge Certain Matters in the Orders of the Day.

The House Bill relative to electric bicycles (House, No. 5105), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Straus of Mattapoisett.

Electric bicycles.

After debate on the question on passing the bill to be engrossed, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill passed to be engrossed,—
yea and nay
No. 246.

[See [Yea and Nay No. 246](#) in Supplement.]

Therefore the bill was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill to reduce traffic fatalities (House, No. 5103), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time, under suspension of the rules, on motion of Mr. Straus of Mattapoisett.

Traffic fatalities.

After remarks on the question on passing the bill to be engrossed, Mr. Vitolo of Brookline moved to amend it by adding the following section:—

SECTION 16. Section 17c of said Chapter 90, as so appearing, is hereby amended by inserting after the words “on any roadway” the words “including, but not limited to, a roadway on which a speed limit higher than 25 miles per hour was previously established pursuant to section 18;”.

The amendment was adopted.

Mr. Diggs of Barnstable then moved to amend the bill by adding the following section:

“SECTION 17. Section 6 of chapter 90 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended in line 11 by inserting after the word ‘obscured’ the following:— or the appearance obstructed.”.

The amendment was adopted; and the bill (House, No. 5103, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The Senate amendment of the House Bill authorizing the Martha’s Vineyard Land Bank Commission to transfer 2 parcels of land in the town of Oak Bluffs to the Massachusetts Department of Transportation (House, No. 5049), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Mr. Fernandes of Falmouth; and it was adopted, in concurrence.

Oak Bluffs,—
land.

Emergency Measure.

The engrossed Bill authorizing the Martha’s Vineyard Land Bank Commission to transfer 2 parcels of land in the town of Oak Bluffs to the Massachusetts Department of Transportation (see House, No. 5049, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Oak Bluffs,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 34 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 247.

[See [Yea and Nay No. 247](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Engrossed bills

Granting equal access to original birth certificates to all persons born in Massachusetts (see House, No. 2294);

Bills
enacted.

Designating a certain bridge in the town of Auburn as the Robert Conroy memorial bridge (see House, No. 3459);

Designating a certain bridge in the town of Duxbury as the Lewis sisters bridge (see House, No. 4332); and

Designating a certain bridge in the town of Duxbury as the Cora Wilburn bridge (see House, No. 4333);

(Which severally originated in the House);

Severally having been certified by the Clerk to be rightly and truly prepared for final passage, were passed to be enacted, there being no objection; and they were signed by the acting Speaker and sent to the Senate.

Paper from the Senate.

A report of the committee of conference on the disagreeing votes of the two branches, with reference to the House amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5000) of the Senate Bill relative to military spouse-licensure portability, education and enrollment of dependents (Senate, No. 2559, amended), recommending passage of a bill with the same title (Senate, No. 3075), accepted by the Senate, was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Military
families.

Mr. Honan of Boston, for said committee then reported recommending that the report be scheduled for consideration by the House.

Under suspension of said rule, on motion of Mr. McMurtry of Dedham, the report was considered forthwith.

After debate on the question on acceptance of the report, in concurrence, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 248](#) in Supplement.]

Conference
committee
report
accepted,—
yea and nay
No. 248.

Therefore the report of the committee of conference was accepted, in concurrence.

Motions to Discharge Certain Matters in the Orders of the Day.

Mr. Donato of Medford being in the Chair,—

Mr. Michlewitz of Boston moved that the engrossed Bill authorizing the Health Insurance Connector Authority to implement a 2-year pilot program to extend eligibility for premium assistance payments or point-of-service cost-sharing subsidies for certain applicants (see House, No. 5123), being a printed copy of Sections 133, 192, 193 and 196 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment R of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Cost-sharing
subsidies.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

“Notwithstanding any general or special law to the contrary, the commonwealth health insurance connector authority established in section 2 of chapter 176Q of the General Laws shall conduct a study, in consultation with the executive office of health and human services and the division of insurance, as necessary, of the costs and implementation steps required to implement a 2-year pilot program to extend eligibility for premium assistance payments or point-of-service cost-sharing subsidies for applicants at or below 500 per cent of the federal poverty guidelines; provided, that applicants participating in the pilot program that are between 300 and 500 per cent of the federal poverty guidelines would have access to a plan that meets at least 90 per cent actuarial value; provided further, that the affordability standard for the pilot program would be consistent with current practices pursuant to section 3 of said chapter 176Q. The commonwealth health insurance connector authority shall submit a written report of its findings, including the potential impact on carriers and enrollees and the availability of federal funding and subsidies, with the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on public health and the joint committee on health care financing not later than March 31, 2023.”; and the report was accepted.

On the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House was taken by yeas and nays, at the request of Mr. Jones of North Reading; and on the roll call 28 members voted in the affirmative and 124 in the negative.

Amendment
rejected,—
yea and nay
No. 249.

[See [Yea and Nay No. 249](#) in Supplement.]

Therefore the amendment was rejected.

Mr. Michlewitz of Boston then moved to amend the bill by striking out all after the enacting clause and inserting in place thereof the following:

“SECTION 1. Section 2000 of chapter 29 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by adding after the word ‘herein’, in line 5, the following words:— ; provided, that all expenditures from the fund shall be approved by the legislature.

SECTION 2. (a) Notwithstanding subsection (b) of section 3 of chapter 176Q of the General Laws or any other general or special law to the contrary, the commonwealth health insurance connector authority, established pursuant to section 2 of said chapter 176Q, shall implement a 2-year pilot program to extend eligibility for premium assistance payments or point-of-service cost-sharing subsidies for applicants at or below 500 per cent of the federal poverty guidelines.

(b) Applicants participating in the pilot program that are between 300 and 500 per cent of the federal poverty guidelines shall have access to a plan that meets at least 90 per cent actuarial value; provided, that the affordability standard for the pilot program shall be consistent with current practices pursuant to said section 3 of said chapter 176Q.

(c) Notwithstanding paragraph 2 of section 2000 of chapter 29 of the General Laws or any other general or special law to the contrary, amounts necessary to support the 2-year pilot program established in subsection (a) shall be expended from the Commonwealth Care Trust Fund established in said section 2000 of said chapter 29.

(d) The commonwealth health insurance connector authority, in consultation with the center for health information and analysis, shall evaluate the pilot program to assess the public health, health equity, utilization and financial impacts on residents of reducing out-of-pocket costs and premium costs. The center shall collect

quantitative and qualitative data at the start of the pilot program and at the end of each year of the pilot program to assess the impact on pilot program participants. Data points to be collected shall include, but not be limited to: (i) rates of unmet medical need due to cost; (ii) disparities in rates of unmet medical need due to cost; (iii) difficulties accessing care at a doctor's office or clinic; (iv) racial and ethnic disparities in difficulties accessing care at a doctor's office or clinic; (v) insurance coverage rates, including rates of continuous insurance coverage; (vi) racial and ethnic disparities in insurance coverage rates; (vii) visits to a doctor's office; and (viii) racial and ethnic disparities in visits to a doctor's office. The connector shall file reports of its evaluation with the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on public health and the joint committee on health care financing not later than December 1, 2024 and December 1, 2025.

SECTION 3. Notwithstanding any general or special law to the contrary, from the effective date of this act through May 31, 2025, except for the purposes described in section 2000 of chapter 29 of the General Laws, all revenue credited to the Commonwealth Care Trust Fund established in said section 2000 of said chapter 29 shall be maintained and available to support the implementation and maintenance of the Health Insurance Connector Authority's 2-year pilot program established in section 2; provided, that any funds transferred from the Commonwealth Care Trust Fund to the General Fund between June 30, 2022 and August 15, 2022, shall be transferred back into said Commonwealth Care Trust Fund by the comptroller not later than 14 days after the effective date of this act.

SECTION 4. Section 2 shall take effect on June 1, 2023.

SECTION 5. Section 2 is hereby repealed.

SECTION 6. Section 5 shall take effect on May 31, 2025.

SECTION 7. This act shall take effect on July 1, 2022."

After remarks on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of Ms. Barber of Somerville; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See [Yea and Nay No. 250](#) in Supplement.]

Therefore the amendment was adopted. The bill (see House, No. 5123, amended) then was sent to the Senate for its action.

Ms. Garlick of Needham moved that the engrossed Bill relative to reviving and continuing the special legislative commission established to study and examine the civil service law (see House, No. 5122), being a printed copy of Section 132 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment Q of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following section:

"SECTION 1. Upon the start of the legislative session beginning on January 4, 2023, the special legislative commission established in section 107 of chapter 253 of the acts of 2020 to study and examine the civil service law is hereby revived and

Amendment
adopted,—
yea and nay
No. 250.

Civil
service,—
commission.

continued to May 31, 2024. The commission shall submit a report of its study and any recommendations, together with any draft legislation necessary to carry those recommendations into effect, by filing the same with the governor, the speaker of the house of representatives, the president of the senate and the clerks of the house of representatives and the senate not later than May 31, 2024.”; and the report was accepted.

The amendment recommended by the Governor then was rejected. Sent to the Senate for its action.

The Senate amendment of the House Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Lowell to the Lowell Housing Authority (House, No. 4900), reported by the committee on Bills in the Third Reading to be correctly drawn, was taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Ms. Howard of Lowell; and it was adopted, in concurrence.

Lowell,—
land.

Ms. Hogan of Stow being in the Chair,—

Ms. Garlick of Needham moved that the engrossed Bill providing for the development and implementation of a secure common application portal for individuals to simultaneously apply for state-administered needs-based benefits and services (see House, No. 5108), being a printed copy of Section 5 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment C of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Needs-based
benefits and
services.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Chapter 6A of the General Laws is hereby amended by inserting after section 18Z the following section:—

Section 18AA. Notwithstanding any general or special law to the contrary, the executive office of health and human services and the executive office of housing and economic development, in coordination with the division of medical assistance, the department of transitional assistance, the department of early education and care, the executive office of education and the department of housing and community development, shall develop and implement a secure common application portal for individuals to simultaneously apply for state-administered needs-based benefits and services. The common application shall allow individuals the option to apply simultaneously for MassHealth coverage, the supplemental nutrition assistance program, income supports under chapters 117A and 118, veterans’ services benefits under chapter 115, childcare subsidies, housing subsidies, fuel assistance and other needs-based health care, nutrition and shelter benefits. The common application shall, with the consent of the applicant, allow the state agencies responsible for determining eligibility for the benefits requested to share relevant eligibility information and supporting documentation submitted by the applicant as needed to determine eligibility for other benefits.”; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Ms. Garlick of Needham moved that the engrossed Bill relative to hawkers and peddler license renewal (see House, No. 5114), being a printed copy of Section 37 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment I of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Hawkers
and peddler
licenses.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following section:

“SECTION 1. Section 26 of chapter 101 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in lines 5 and 6, the words ‘one year’ and inserting in place thereof the following words:- 5 years; provided, that the certificate required to be signed by the chief of police of the city or town in which the applicant resides pursuant to section 22 shall continue to be furnished by the applicant to the deputy director on an annual basis.”; and the report was accepted.

The amendment recommended by the Governor then was adopted. Sent to the Senate for its action.

Ms. Garlick of Needham moved that the engrossed Bill relative to providing for the repair, replacement or upgrade of certain septic systems (see House, No. 5125), being a printed copy of Section 137 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment T of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

Septic
systems,—
repairs, etc.

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following section:

“SECTION 1. (a) For the purposes of this section a domestic septic system means any properly functioning septic system that is approved for the intended domestic use pursuant to title 5 of the state environmental code established in 310 CMR 15.000; provided further that an ‘enhanced nitrogen removal technology’ means an enhanced nitrogen removal alternative technology approved by the department of environmental protection in accordance with title 5 of the state environmental code established in said 310 CMR 15.000.

(b) Notwithstanding chapter 29C of the General Laws or any other general or special law to the contrary, to reduce environmental impacts of nitrogen pollution in vulnerable communities, a local or regional board of health may enter into agreements with residential owners to provide for the repair, replacement or upgrade of certain septic systems pursuant to subsections (c) and (d).

(c)(1) When an existing domestic septic system does not incorporate enhanced nitrogen removal technology, or utilizes a nitrogen removal technology that does not achieve the nitrogen level established by a rule or regulation of the local or regional board of health or the city or town, a local or regional board of health may enter into an agreement with the residential owner pursuant to section 127B½ of chapter 111 of the General Laws to finance by loan the repair, replacement or upgrade of the system to incorporate enhanced nitrogen removal technology.

(2) To qualify for such loan assistance, a domestic septic system shall be located within: (i) a watershed area of a nitrogen impaired water body as identified in the latest United States Environmental Protection Agency approved final listing of the latest state Integrated List of Waters for the commonwealth; (ii) a nitrogen sensitive area as defined in 310 CMR 15.000; or (iii) a watershed area of a water body subject to the latest state established total maximum daily load for total nitrogen pollution that is approved by the United States Environmental Protection Agency.

(3) The repair, replacement or upgrade, including installation, of a shared domestic septic system that treats for nitrogen located in an area described in paragraph (2) may qualify for such loan assistance; provided, that the: (i) shared system replaces or services at least 2 existing domestic septic systems that otherwise do not incorporate enhanced nitrogen removal technology; and (ii) the combined shared septic system, including its components, has a discharge volume of less than 10,000 gallons per day and incorporates enhanced nitrogen removal technology. For loan assistance pursuant to paragraph (1), each affected residential owner benefiting directly from the shared system shall enter into an agreement with the local or regional board of health in the city or town where such system is located for the repayment of the owner's proportionate share of the costs and expenses incurred by the local or regional board of health for the repair, replacement or upgrade of any part of the shared system.

(d) Notwithstanding any general or special law to the contrary, a local or regional board of health may enter into an agreement for loan assistance with a residential owner to promote the voluntary upgrade or replacement of the owner's functioning domestic septic system to incorporate advanced nitrogen removal technology."; and the report was accepted.

The amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading) then was adopted. Sent to the Senate for its action.

Ms. Garlick of Needham moved that the engrossed Bill to establish an incumbent health care worker certified nursing assistant (CNA) certification pilot program (see House, No. 5128), being a printed copy of sections 148 and 195 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment W of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of Rule 47; and the motion prevailed.

The committee on Bills in the Third Reading reported recommending that the amendments recommended by the Governor be considered in the following form:

By striking out all after the enacting clause and inserting in place thereof the following:

Certified
nursing
assistants.

“SECTION 1. (a) Notwithstanding any general or special law to the contrary, the executive office of health and human services shall establish and implement an Incumbent Health Care Worker Certified Nursing Assistant (CNA) Certification Pilot Program. The pilot program shall offer paid training for incumbent health care workers with limited access to state-approved CNA certification training. The pilot program shall provide flexibility to individuals who may have a difficult time attending day or evening classes while fulfilling their current work responsibilities.

(b) There is hereby established an Incumbent Health Care Worker CNA Certification Pilot Program Advisory Committee. The secretary of health and human services, or a designee, shall appoint such advisory committee to represent significant constituencies and stakeholders, including, but not limited to, the chairs of the joint committee on labor and workforce development, representatives from community-based organizations and nonprofit service providers, a representative from the Commonwealth Corporation Foundation, the SEIU 1199 Training and Upgrading Fund, the Massachusetts Senior Care Association, Inc., the Massachusetts Hospital and Health Systems Association, and other such stakeholders as the secretary of health and human services shall deem necessary. The advisory committee shall advise on matters and policies affecting the Incumbent Health Care Worker CNA Certification Pilot Program. The advisory committee shall supply constituent-focused labor market information, review general programmatic parameters and guidelines and assist with the identification of any issues and barriers to the pilot program’s efficiency and effectiveness. The advisory committee shall meet from time to time, but not less frequently than bi-monthly.

(c) Not later than 6 months and 1 year, respectively, after implementation of the pilot program, the executive office of health and human services shall report on the results of the pilot program and offer findings and recommendations for subsequent state action related to the pilot program to the house and senate committees on ways and means, the joint committee on labor and workforce development and the joint committee on health care financing.

SECTION 2. Section 1 shall take effect on July 1, 2023.”; and by striking out the emergency preamble.

The report was accepted; and the amendments recommended by the Governor (as reported by the committee on Bills in the Third Reading) then were adopted. Sent to the Senate for its action.

Emergency Measure.

The engrossed Bill relative to military spouse-licensure portability, education and enrollment of dependents (see Senate, No. 3075), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Military families.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 45 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, under Emergency Rule 2(5); and on the roll call (Mr. Donato being in the Chair) 153 members voted in the affirmative and 0 in the negative.

Bill enacted,—
yea and nay
No. 251.

[See [Yea and Nay No. 251](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill.

The engrossed Bill relative to accelerating improvements to the local and regional public health system to address disparities in the delivery of public health services (see House, No. 5104) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Motion to Discharge a Certain Matter in the Orders of the Day.

Ms. Garlick of Needham moved that the engrossed Bill authorizing employees to supplement their paid family and medical leave (PFML) wage replacement benefits with accrued sick and vacation time (see House, No. 5118), being a printed copy of Section 80 contained in the engrossed Bill making appropriations for the fiscal year 2023 for the maintenance of the departments, boards, commissions, institutions and certain activities of the Commonwealth, for interest, sinking fund and serial bond requirements and for certain permanent improvements (see House, No. 5050), which had been returned by His Excellency the Governor with recommendation of amendment (for message, see Attachment M of House, No. 5132), be discharged from its position in the Orders of the Day and considered forthwith, under suspension of the rules; and the motion prevailed.

Paid Family and
Medical Leave
(PFML).

The committee on Bills in the Third Reading reported recommending that the amendment recommended by the Governor be considered in the following form:

By striking out section 1 and inserting in place thereof the following section:

“SECTION 1. The department of family and medical leave shall conduct a study on the proposal to amend section 3 of chapter 175M of the General Laws to expressly permit employees who are taking paid family or medical leave to supplement their wage replacement benefits with any accrued sick or vacation pay or other paid leave provided under an employer policy. The department shall: (i) evaluate the benefits and any disadvantages of this policy change on employers and employees; (ii) determine what operational modifications will be required for the department and employers; and (iii) provide an estimate of the implementation costs and required timeline for the department and employers. The department shall submit the results of the study by filing the same with the secretary of the executive office of labor and workforce development, the secretary of the executive office for administration and finance, the clerks of the house of representatives and senate, the joint committee on labor and workforce development and the house and senate committees on ways and means.”; and the report was accepted.

On the question on adoption of the amendment recommended by the Governor (as reported by the committee on Bills in the Third Reading), the sense of the House was taken by yeas and nays, at the request of Ms. Ferguson of Holden; and on the roll call 27 members voted in the affirmative and 126 in the negative.

Amendment
rejected,—
yea and nay
No. 252.

[See [Yea and Nay No. 252](#) in Supplement.]

Therefore the amendment was rejected. Sent to the Senate for its action.

Emergency Measure.

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey certain land in the city of Lowell to the Lowell Housing Authority (see House, No. 4900, amended), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Lowell,—
land.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 48 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a bill providing for the taking of land or other easements used for conservation purposes, etc., as defined by Article XCVII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

Bill enacted
(land taking),—
yea and nay
No. 253.

[See [Yea and Nay No. 253](#) in Supplement.]

Therefore the bill was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Recess.

Ms. Hogan of Stow being in the Chair,—

At nineteen minutes before seven o'clock P.M. (Friday, July 29), on motion of Mr. Barrows of Mansfield (Ms. Hogan of Stow being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at that time, the House was called to order with Mr. Donato of Medford in the Chair.

Recess.