Sunday, July 31, 2022 (at 12:03 o'clock P.M.).

At the request of the Chair (Ms. Hogan), the members, guests and employees joined with her in reciting the pledge of allegiance to the flag.

Silent Tribute.

During the session the Chair (Ms. Hogan of Stow) declared a brief recess, and at the request of Ms. Fiola of Fall River, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Daniel E. Bogan, 89, of Fall River, the former Mayor of Fall River, who passed away on July 16, 2022, surrounded by his loving family. Daniel Bogan was part of the fabric of Fall River. He served as a member of the City Council for 22 years and 14 of those as its President.

A graduate of Durfee High School, he was an outstanding athlete in both football and track. Dan proudly served his country during the Korean War as a member of the U. S. Army. Following his military service, he graduated from UMass Dartmouth. A strong proponent of education, he established scholarships at both Bristol Community College as well as at UMass. He served both on the UMass Board of Trustees and the UMass Foundation.

Daniel Bogan was the Owner and CEO of Borden & Remington Corp. which he revitalized to become a major player in the New England chemical market. He was honored as Entrepreneur of the Year in 1988 and was recognized as a moving force in this area by Southeastern Massachusetts University's Small Business Development Center. Dan was involved in many organizations which benefited Fall River, including Elks Lodge 118, Charlton Memorial Hospital, and the Chamber of Commerce to name just a few. He is survived by his beloved wife Jean, his five children, and ten grandchildren.

Message from the Governor — Veterans' Homes Bill Returned with Recommendation of Amendment.

Mr. Donato of Medford being in the Chair,—

A message from His Excellency the Governor returning with recommendation of amendment the engrossed Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes [see House, No. 5106] (for message, see House, No. 5152), was filed in the office of the Clerk on Saturday, July 30.

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

Subsequently said committee reported recommending that the amendment recommended by the Governor be considered in the following form:

By adding the following five sections:

"SECTION 82. (a) Notwithstanding any general or special law to the contrary, this section shall facilitate the orderly transfer of the employees, proceedings, rules

Veterans' homes.

Daniel Bogan.

Pledge of

allegiance.

and regulations, property and legal obligations and functions of state government from the department of veterans' services, including the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, as a department under the executive office of health and human services, as transferor agency, to the department of veterans' services under the secretary of veterans' services as transferee agency.

(b) Subject to appropriation, any employees transferred to the transferee agency, including those who immediately before the effective date of this act held permanent appointment in positions classified under chapter 31 of the General Laws, had tenure in their positions as provided by section 9A of chapter 30 of the General Laws, did not hold such tenure or held confidential positions, are hereby transferred to the transferee agency, without interruption of service within the meaning of said section 9A of said chapter 30, without impairment of seniority, retirement or other rights of the employee, and without reduction in compensation or salary grade, notwithstanding any change in title or duties resulting from such reorganization, and without loss of accrued rights to holidays, sick leave, vacation and benefits, and without change in union representation or certified collective bargaining unit as certified by the state labor relations commission or in local union representation or affiliation. Any collective bargaining agreement in effect immediately before the transfer date shall continue in effect and the terms and conditions of employment therein shall continue as if the employees had not been so transferred. The reorganization shall not impair the civil service status of any such reassigned employee who immediately before the effective date of this act either held a permanent appointment in a position classified under said chapter 31 or had tenure in a position by reason of said section 9A of said chapter 30.

(c) Notwithstanding any general or special law to the contrary, all such employees shall continue to retain their right to bargain collectively pursuant to chapter 150E of the General Laws and shall be considered employees for the purposes of said chapter 150E. Nothing in this section shall confer upon any employee any right not held immediately before the date of the transfer, or to prohibit any reduction of salary grade, transfer, reassignment, suspension, discharge or layoff not prohibited before such date; nor shall anything in this section prohibit the abolition of any management position within the executive office of technology services and security.

(d) All petitions, requests, investigations, filings and other proceedings appropriately and duly brought before the transferor agency, or pending before it before the effective date of this act, shall continue unabated and remain in force, but shall be assumed and completed by the transferee agency.

(e) All orders, advisories, findings, rules and regulations duly made and all approvals duly granted by the transferor agency, which are in force immediately before the effective date of this act, shall continue in force and shall thereafter be enforced, until superseded, revised, rescinded or canceled, in accordance with law, by the transferee agency.

(f) All books, papers, records, documents, equipment, buildings, facilities, cash and other property, both personal and real, including all such property held in trust, which immediately before the effective date of this act are in the custody of the transferor agency, shall be transferred to the transferee agency.

(g) All duly existing contracts, leases and obligations of the transferor agency shall continue in effect but shall be assumed by the transferee agency. No such existing right or remedy of any character shall be lost, impaired or affected by this act.

SECTION 83. The secretary of health and human services and the secretary of administration and finance shall prepare a plan for the efficient transfer of the

department of veterans' services, including the Soldiers' Home in Massachusetts and the Soldiers' Home in Holyoke, from the executive office of health and human services to a department operating under the secretary of veterans' services, as provided in section 82. The plan shall be filed not later than October 31, 2022 with the joint committee on veterans and federal affairs and the house and senate committees on ways and means.

SECTION 84. Section 83 shall take effect upon passage.

SECTION 85. Section 41 of chapter 6 of the General Laws, as inserted by section 3, and section 79 shall take effect on January 1, 2023.

SECTION 86. Unless otherwise specified, the provisions of this act shall take effect on March 1, 2023."; 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.

Papers from the Senate.

Ms. Hogan of Stow being in the Chair,—

The House Bill to improve and modernize the information technology systems and capacities of the judiciary (House, No. 5076), 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 3089.

Under suspension of the rules, on motion of Mr. Day of Stoneham, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Day, Tyler of Boston and Smola of Warren were appointed the committee on the part of the House. Sent to the Senate to be joined.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Brownsberger, Creem and Tarr had been appointed the committee on the part of the Senate.

Mr. Donato of Medford being in the Chair,— Subsequently, the evening recess having terminated, Mr. Day of Stoneham, for said committee of conference, reported, in part, a bill with the same title (House, No. 5163) [Bond Issue: General Obligation Bonds: \$165,500,000.00]. 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 motion of Mr. Day of Stoneham, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Ms. Hogan of Stow being in the Chair,-

Bills

Authorizing the town of Nantucket to convey certain parcels of land acquired for conservation or recreational purposes (Senate, No. 3090) (on Senate bill No. 3081) [Local Approval Received]; and

Authorizing the town of Nantucket to convey a certain parcel of land acquired for park purposes to the Nantucket Conservation Foundation Inc. for open space, Judiciary, information technology.

Committee of conference.

Id.

Judiciary, information technology.

Nantucket, land.

Id.

recreational and conservation purposes (Senate, No. 3091) (on Senate bill No. 3083) [Local Approval Received];

Severally passed to be engrossed by the Senate were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Honan of Boston, for said committee, then reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of the rules, in each instance, on motion of Mr. Jones of North Reading, the bills severally were read a second time forthwith; and they were ordered to a third reading.

Subsequently, under further suspension of the rules, in each instance, on motion of Ms. Garlick of Needham, the bills (having been reported by the committee on Bills in the Third Reading to be correctly drawn) were read a third time; and they were passed to be engrossed, in concurrence.

Reports of Committees.

Mr. Straus of Mattapoisett, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3016) of the House Bill relative to Massachusetts's [sic] transportation resources and climate (House, No. 4916), reported a Bill relative to Massachusetts' transportation resources and climate (House, No. 5151) [Bond Issue: General Obligation Bonds: \$11,374,818,952.00]. 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 Rule 7A, on motion of Mr. Straus of Mattapoisett, the report was considered forthwith.

After debate on the question on acceptance of the report (the Speaker having been in the Chair), 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 <u>Yea and Nay No. 259</u> in Supplement.]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the transfer of the care and control of certain parcels of land in the town of Monson (Senate, No. 3064), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5153. 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 3064, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third

Transportation, financing.

Conference committee report accepted, yea and nay No. 259.

Monson, land. Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence in the amendment.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the 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), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5154. 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 3073, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence in the amendment.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the city of Lynn to grant a conservation restriction to park lands, forest lands and watershed lands to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in Lynn, Saugus, and Lynnfield, Massachusetts (House, No. 5024), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5155). 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the school department in the city of Westfield (House, No. 5133), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5156). 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee

Hubbardston, land.

Lynn, land.

Westfield, land. on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on further motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the Senate Bill exempting a certain affordable housing project in the city of Brockton from public procurement laws (Senate, No. 2864) [Local Approval Received], be scheduled for consideration by the House.

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

Emergency Measures.

The engrossed Bill relative to HIV prevention services (see House, No. 5115, 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.

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 44 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford having taken the Chair) the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Ms. Hogan of Stow being in the Chair,— 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, 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.

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 33 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford having taken the Chair) the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Ms. Hogan of Stow being in the Chair,— The engrossed Bill relative to a purchase option on a University of Massachusetts at Dartmouth leased facility in New Bedford (see House, No. 5130, 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.

HIV prevention services.

Bill re-enacted.

Cost-sharing subsidies.

Bill re-enacted.

New Bedford,— UMass lease. 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 House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be reenacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bill — Land Taking.

The engrossed Bill relative to certain land in the town of Winchester (see House bill printed in House, No. 5142) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 260</u> in Supplement.]

Therefore the bill was passed to be enacted (more than two-thirds of the members having agreed to pass the same); and it was signed by the acting Speaker and sent to the Senate.

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

House bills

Promoting the placement of foster children with family members and preventing discrimination against potential foster parents based on irrelevant convictions (House, No. 256); and

Authorizing a development surcharge for community housing in the town of Lexington (House, No. 4314);

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. Honan of Boston; and they were ordered to a third reading.

The Senate amendments inserting before section 1 the following section:

[A]"SECTION A1. Section 11B of chapter 85 of the General Laws, as appearing in the 2020 Official Edition, is hereby amended by striking out, in lines 71 and 72, the words 'either a lamp emitting a red light, or' and inserting in place thereof the following words:— a lamp emitting a red light and";

In section 6, adding at the end thereof the following sentence: "The registrar may provide alternative means of compliance with the convex mirror, cross-over mirror and lateral protective device requirements.";

In section 7, in lines 57 and 58, striking out the word "before" and inserting in place thereof, in each instance, the word "after";

Striking out section 10; and

Bill re-enacted.

Winchester, land.

Bill enacted (land taking), yea and nay No. 260.

Foster children, placement.

Lexington, housing.

Traffic fatalities.

Inserting after section 13 the following section:

"SECTION 13A. The Executive Office of Public Safety and Security shall within one year report the results of a study of the implementation of this bill focusing on racial, gender and geographic disparities if any." of the House Bill to reduce traffic fatalities (House, No. 5103, amended), 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 considered forthwith, under suspension of the Rule 47, on motion of Ms. Garlick of Needham. The House then non-concurred with the Senate in its amendments. Sent to the Senate for its action.

Subsequently, the evening recess having terminated, the bill came from the Senate with the endorsement that said branch had insisted on its amendments (in which the House had non-concurred).

On motion of Mr. Moran of Boston, the House recede from its non-concurrence in the Senate amendments; and concur therein with a further amendment by striking out the entire text of said amendments [at "A'] and inserting in place thereof the following:

"SECTION A1. Said Section 11B of Chapter 85 of the General Laws, as appearing in the 2020 Official Edition, is hereby further amended by inserting, in line 76, after the word 'clause.' The following sentence:— The provisions of this paragraph related to front and rear lighting shall be enforced by law enforcement agencies only when an operator of a bicycle has been stopped for some other offense, A violation of this paragraph related to rear lighting shall not be used as conclusive evidence of contributory negligence in any civil action.".

The further amendment was adopted.

Sent to the Senate for concurrence in the further amendment.

Recess.

At twenty-one minutes after two o'clock P.M. (Sunday, July 31), on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House recessed subject to the call of the Chair; and at sixteen minutes after three o'clock P.M., the House was called to order with Mr. Donato of Medford in the Chair.

Reports of Committees.

Ms. Hogan of Stow being in the Chair,— Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5132), returning with his disapproval of parts of certain items 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), reported, in part, that parts of certain items stand (as passed by the General Court). Severally referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Mr. Honan of Boston, for said committee, reported, in each instance, that the matters be scheduled for consideration by the House.

Under suspension of Rule 7A, in each instance, on motion of Mr. Michlewitz of Boston, the matters were considered forthwith, as follows:

Recess.

General Appropriation Bill. Item 2200-0107 (contained in section 2) (recycling and solid waste), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$699,997 to \$499,997.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See <u>Yea and Nay No. 261</u> in Supplement.]

Therefore item 2200-0107 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2100-0012 (contained in section 2) (Department of Public Utilities), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$18,390,600 to \$18,365,600.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See <u>Yea and Nay No. 262</u> in Supplement.]

Therefore item 2100-0012 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2310-0200 (contained in section 2) (Division of Fisheries and Wildlife), which had been reduced by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$16,111,887 to \$16,011,887.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 150 members voted in the affirmative and 3 in the negative.

[See <u>Yea and Nay No. 263</u> in Supplement.]

Therefore item 2310-0200 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 2810-0100 (contained in section 2) (state parks and recreation), which had been disapproved by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 133 members voted in the affirmative and 20 in the negative.

[See <u>Yea and Nay No. 264</u> in Supplement.]

Therefore item 2810-0100 was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0101 (contained in section 2) (emergency assistance family shelter), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording.

Recycling and solid waste item 2200-0107 stands, yea and nay No. 261.

Department of Public Utilities item 2100-0012 stands, yea and nay No. 262.

Division of Fisheries and Wildlife item 2310-0200 stands, yea and nay No. 263.

State parks and recreation item 2810-0100 stands, yea and nay No. 264. On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See <u>Yea and Nay No. 265</u> in Supplement.]

Therefore item 7004-0101 was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7004-0202 (contained in section 2) (homeless individuals rapid re-housing program), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See <u>Yea and Nay No. 266</u> in Supplement.]

Therefore item 7004-0202 was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 7006-0071 (contained in section 2) (telecommunications and cable), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$3,178,295 to \$3,153,295.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 136 members voted in the affirmative and 17 in the negative.

[See <u>Yea and Nay No. 267</u> in Supplement.]

Therefore item 7006-0071 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8900-0001 (contained in section 2) (Department of Correction facility), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording and reduced said item from \$727,125,175 to \$727,047,175.

On the question on passing said item, notwithstanding the reductions of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter I, Section I, Article II of the Constitution; and on the roll call 131 members voted in the affirmative and 22 in the negative.

[See <u>Yea and Nay No. 268</u> in Supplement.]

Therefore item 8900-0001 passed, notwithstanding the reductions of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

Item 8900-1100 (contained in section 2) (re-entry programs), which had been disapproved (in part) by the Governor, then was considered.

The Governor had stricken certain wording.

On the question on passing said item, notwithstanding the action of the Governor, the sense of the House was taken by yeas and nays, as required by Chapter

Emergency assistance family shelter item 7004-0101 stands, yea and nay No. 265.

Homeless individuals rapid re-housing program item 7004-0202 stands, yea and nay No. 266.

Telecommunications and cable item 7006-0071 stands, yea and nay No. 267.

Department of Correction facility item 8900-0001 stands, yea and nay No. 268.

Re-entry programs item 8900-1100 stands,— I, Section I, Article II of the Constitution; and on the roll call 126 members voted in the affirmative and 27 in the negative.

[See <u>Yea and Nay No. 269</u> in Supplement.]

Therefore item 8900-1100 was passed, notwithstanding the action of the Governor (more than two-thirds of the members present and voting having voted in the affirmative). Sent to the Senate for its action.

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

The Senate amendment of the House Bill to extend live horse racing and simulcasting in the Commonwealth (House, No. 5047, amended), 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 considered forthwith, under suspension of Rule 47, on motion of Ms. Garlick of Needham.

Pending the question on adoption of the amendment, in concurrence, Mr. Michlewitz of Boston moved that the House concur with the Senate in its amendment with a further amendment striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 5157. The further amendment was adopted.

The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Subsequently, the bill, came from the Senate with the endorsement that said branch had concurred with the House in its further amendment (striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5157) with still further amendments inserting before section 1 the following section:

"SECTION A1. Chapter 128C of the General Laws is hereby amended by adding the following section:-

Section 9. Notwithstanding sections 1 to 8, inclusive, or any other general or special law to the contrary, no racing meeting licensee, including a licensee holding racing meetings in connection with a state or county fair, as defined in section 1 of chapter 128A, shall simulcast or accept a simulcast wager on greyhound dog racing."; and

Adding the following section:

"SECTION 18. Section A1 shall take effect on August 1, 2023.".

The still further amendments were referred, under Rule 35, to the committee on Bills in the Third Reading. Said committee then reported that the still further amendments were correctly drawn; and under suspension of Rule 47, on motion of Ms. Garlick of Needham, they were considered forthwith; and they were adopted, in concurrence.

Ms. Garlick of Needham moved that the engrossed Bill driving clean energy and offshore wind (see House, No. 5060), which had been returned by His Excellency the Governor with recommendation of amendments (for message, see House, No. 5141), 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 form approved by the committee; and the report was accepted.

Clean energy and offshore wind.

Simulcasting.

yea and nay No. 269.

Pending the question on adoption of the amendments recommended by the Governor, Mr. Roy of Franklin moved that they be amended by striking out the text of the amendments and inserting in place thereof the following:

In section 8 by striking out subsection (b) and inserting in place thereof the following subsection:

"(b) The center shall be governed and its corporate powers exercised by a board of directors consisting of 15 directors: 1 of whom shall be the secretary of energy and environmental affairs or their designee, who shall serve as a chair; 1 of whom shall be the secretary of housing and economic development or their designee; 1 of whom shall be the secretary of administration and finance or their designee; 1 of whom shall be the secretary of labor and workforce development or their designee; 1 of whom shall be the president of the University of Massachusetts or their designee; 1 of whom shall be the executive director of the Massachusetts Workforce Alliance, Inc.; 1 of whom shall be the commissioner of energy resources or their designee; and 8 of whom shall be appointed by the governor, 1 of whom shall be a venture capitalist or a chief executive officer of a Massachusetts-based clean energy corporation with expertise in clean energy technologies in the commonwealth, 1 of whom shall be the president of a Massachusetts community college or their designee, 2 of whom shall be the presidents of a Massachusetts private college or university or their designee, 1 of whom shall be a union representative selected from a list of 3 nominees submitted by the speaker of the house of representatives, 1 of whom shall be the president of a Massachusetts state university or college selected from a list of 3 nominees submitted by the speaker of the house of representatives, 1 of whom shall have knowledge of electricity distribution, generation, supply or power or energy economics selected from a list of 3 nominees submitted by the president of the senate, and 1 of whom shall be selected from a list of 3 nominees submitted by the president of the senate. Each of the 8 directors appointed by the governor, shall serve for a term of 5 years. A director shall be eligible for reappointment. A director may be removed from their appointment by the governor for cause. A person appointed to fill a vacancy in the office of an appointed director of the board shall be appointed in a like manner and shall serve for only the unexpired term of the director.";

In section 14 by striking out subsections (b) and (c) and inserting in place thereof the following 2 subsections:

"(b) The center may, upon a majority vote of the board, certify an offshore wind company as a certified offshore wind company upon: (i) the timely receipt, as determined by the center, of a certification proposal supported by independently verifiable information, signed under the pains and penalties of perjury by a person expressly authorized to contract on behalf of the offshore wind company and shall include, but not be limited to, an estimate of the projected new state revenue the offshore wind company expects to generate during the period for which the company seeks certification, together with a plan that shall include, but not be limited to: (1) precise goals and objectives, by which the offshore wind company proposes to achieve the projected new state revenue; (2) an estimate of the number of permanent full-time employees to be hired or retained; (3) an estimate of the year in which the company expects to hire or retain the employees; (4) an estimate of the projected average salaries of said employees; (5) an estimate of the projected taxable income pursuant to chapter 62 generated by said employees; (6) an estimate of the methods by which the company shall obtain new employees and pursue a diverse workforce; and (7) if applicable, an estimate of the company's planned capital investment in the commonwealth; and (ii) findings made by the center, based on the certification proposal, documents submitted therewith and any additional investigation by the center that shall be incorporated in its approval, that: (1) the offshore wind company is likely to contribute substantially to the manufacture, fabrication and assembly within the commonwealth of domestic supply chain components of the offshore wind industry; (2) the offshore wind company has a substantial likelihood of meeting all statutory requirements and any other criteria that the center, in consultation with the department of revenue, may prescribe including, but not limited to, criteria in the following areas: (A) leveraging additional funding or attracting additional resources to the commonwealth; (B) increasing the manufacture, fabrication and assembly within the commonwealth of domestic supply chain components of the offshore wind industry; and (C) creating employment in the commonwealth; and (3) the offshore wind company has a substantial likelihood of meeting its state revenue, employment growth and applicable capital investment projections, as specified in the certification proposal, over the period for which it receives benefits.

(c)(1) Certification granted pursuant to subsection (b) shall be valid for 5 years starting with the tax year in which certification is granted. Each certified offshore wind company shall file an annual report with the center and the department of revenue certifying whether it has met the specific targets established in the proposal pursuant to clause (i) of subsection (b) and, if not, detailing its progress towards those targets.

(2) The certification of an offshore wind company may be revoked by the center after an investigation by the center, in consultation with the department of revenue, and a determination that the certified offshore wind company is in material noncompliance with its certification proposal; provided, however, that the center shall review said certified offshore wind company at least annually. Revocation shall take effect on the first day of the tax year in which the center determines the certified offshore wind company to be in material noncompliance. The commissioner of revenue shall, as of the effective date of the revocation, disallow any credits, exemptions or other tax benefits allowed by the original certification of tax benefits under this section. The department of revenue shall issue regulations to establish a process to recapture the value of any credits, exemptions or other tax benefits allowed by the certification under this section. For the purposes of this paragraph, "material noncompliance" shall mean the failure of a certified offshore wind company to substantially achieve the new state revenue, job growth and capital investment projections set forth in its certification proposal or any other act, omission or misrepresentation by the certified offshore wind company that frustrates the public purpose of the Massachusetts offshore wind industry investment program.

(3) Nothing in this subsection shall limit any legal remedies available to the commonwealth against any certified offshore wind company."; and in the second paragraph of subsection (d) by inserting after the word "center" the words ", in consultation with the department of revenue,";

In sections 18, 19, 41 and 61 by striking out the words "federally and state recognized tribes", each time they appear, and inserting in place thereof, in each instance, the words "federally recognized and state acknowledged tribes";

In section 19 by inserting before the words "maximize energy efficiency and clean energy employment opportunities" the words "support clean energy community-based programs and";

In section 21 in subsection (b) by striking out the words "shall make expenditures from the fund" and inserting in place thereof the words "may make expenditures from the fund solely"; by striking out, each time they appear, the words "federally recognized tribes" and inserting in place thereof, in each instance, the words "federally recognized and state acknowledged tribes"; and by striking out subsection (c) and inserting in place thereof the following paragraph:

"(c) In furtherance of the public purposes set forth in subsection (b), the center may expend monies from the fund to: (i) make grants, contracts, loans, equity investments, energy production credits, bill credits or rebates available to customers; (ii) provide financial or debt service obligation assistance; or (iii) take any other action, in such forms, under such terms and conditions and under such selection procedures as the center deems appropriate and otherwise in a manner consistent with good business practices; provided, that the center shall conduct, when practicable, competitive procurements; provided further, that the center shall endeavor to leverage the full range of resources, expertise and participation of other state and federal agencies and instrumentalities in the design and implementation of programs conducted pursuant to this section; and provided further, that the board shall determine and incorporate into the minutes of its proceedings a finding that any such action is calculated to advance the public purpose and public interests set forth in this section. Qualified investment transactions undertaken by the center pursuant to this section shall not be subject to chapter 175 and shall not constitute a debt or pledge of the faith and credit of the commonwealth, the center or any subdivision of the commonwealth and shall be payable solely from the Clean Energy Investment Fund. The fund's activity shall be included in the annual report required by the second paragraph of section 5.":

By striking out section 26 and inserting in place thereof the following section:

"SECTION 26. The first sentence of paragraph (2) of subsection (b) of said section 21 of said chapter 25, as most recently amended by said section 24 of said chapter 8, is hereby further amended by adding the following 4 clauses:- ; (xi) no spending on incentives, programs or support for systems, equipment, workforce development or training as they relate to new fossil fuel equipment unless such spending is for low-income households, emergency facilities, hospitals, a backup thermal energy source for a heat pump, or hard to electrify uses, such as industrial processes; (xii) consideration of historic and present program participation by low and moderate-income households, including households that rent; (xiii) strategies and investments that the programs will undertake to achieve equitable access and reduce or eliminate any disparities in program uptake; and (xiv) a method for capturing the following data to assess the plan's services to low-income ratepayers: (A) the total number of ratepayers per municipality served; (B) the total energy efficiency surcharge dollars paid by ratepayers as part of their utility bills per municipality served; and (C) the total incentives provided by the program administrators by municipality served, delineated by utility and sector, including residential, residential low-income, commercial and industrial.";

In section 31 by striking out subsection (d) and inserting in place thereof the following subsection:

"(d) The electric and natural gas distribution companies and municipal aggregators shall provide quarterly reports to the council on the implementation of their respective plans. The reports shall include: (i) a description of the program administrator's progress in implementing the plan; (ii) a summary of the savings secured to date; (iii) a quantification of the degree to which the activities undertaken pursuant to each plan contribute to meeting all greenhouse gas emission limits and sublimits imposed by law or regulation; and (iv) such other information as the council shall determine. Annually, as part of a quarterly report, the electric and natural gas distribution companies and municipal aggregators, in order to assess the plan's services to low-income ratepayers, shall provide, consistent with the method

approved by the department: (i) the total number of ratepayers per municipality served; (ii) the total energy efficiency surcharge dollars paid by ratepayers as part of their utility bills per municipality served; and (iii) the total incentives provided by the program administrators by municipality served, delineated by utility and sector, including residential, residential low-income, commercial and industrial. The council shall provide an annual report to the department and the joint committee on telecommunications, utilities and energy on the implementation of the plan. The annual report shall include descriptions of the programs, expenditures, costeffectiveness and savings and other benefits during the previous year and a quantification of the degree to which the activities undertaken pursuant to each plan contribute to meeting all greenhouse gas emission limits and sublimits imposed by law or regulation. The quarterly and annual reports shall be made available to the public.";

By striking out section 37 and inserting in place thereof the following section:

"SECTION 37. Section 14 of said chapter 25A, as so appearing, is hereby amended by striking out subsection (a) and inserting in place thereof the following subsection:-

(a) A state agency, building authority, local governmental body or the judiciary may contract for energy conservation projects that have a total project cost of \$300,000 or less, directly and without further solicitation, with electric and gas utilities, their subcontractors and other providers of such energy conservation projects authorized under sections 19 and 21 of chapter 25 and section 11G. For the purposes of this section, 'energy conservation projects' shall mean projects to promote energy conservation including, but not limited to: (i) energy conserving modification to windows and doors; (ii) caulking and weatherstripping; (iii) insulation; (iv) automatic energy control systems; (v) hot water systems; (vi) equipment required to operate variable steam, hydraulic and ventilating systems; (vii) plant and distribution system modifications; (viii) devices for modifying fuel openings; (ix) electrical or mechanical furnace ignition systems; (x) utility plant system conversions; (xi) replacement or modification of lighting fixtures; (xii) energy recovery systems; (xiii) on-site electrical generation equipment using new renewable energy generating sources as defined in section 11F; (xiv) decarbonization activities; and (xv) cogeneration systems.";

In section 41 by striking out subsection (i) and inserting in place thereof the following subsection:

"(i) Nothing in this section shall prohibit the enforcement of large building reporting requirements previously established by the city of Boston or the city of Cambridge and further amendments or improvement thereto that exceed those reporting requirements established pursuant to this section.";

In section 47 by striking out subsection (a) of section 12 and inserting in place thereof the following subsection:-

"(a) The division shall establish a program to reduce greenhouse gas emissions from transportation network vehicles. To the extent permitted under federal law, the program shall establish requirements for transportation network companies including, but not limited to, vehicle electrification and greenhouse gas emissions requirements. Such requirements shall include, but not be limited to, a requirement for said companies to submit biennial plans to gradually increase zero-emission transportation network vehicles and reduce greenhouse gas emissions to meet goals set by the executive office of energy and environmental affairs. If the division determines that vehicle electrification requirements alone would be sufficient to achieve the greenhouse gas emissions goals set by the executive office of energy and environmental affairs, then it may establish requirements for vehicle electrification without establishing separate requirements for greenhouse gas emissions. The division shall, to the extent practicable, minimize any negative impacts of the program on drivers from neighborhoods and municipalities that have an annual median household income of not more than 65 per cent of the statewide annual median household income.";

By striking out section 53 and inserting in place thereof the following section:

"SECTION 53. Said chapter 164 is hereby further amended by inserting after section 92A the following 2 sections:—

Section 92B. (a) The department shall direct each electric company to develop an electric-sector modernization plan to proactively upgrade the distribution and, where applicable, transmission systems to: (i) improve grid reliability, communications and resiliency; (ii) enable increased, timely adoption of renewable energy and distributed energy resources; (iii) promote energy storage and electrification technologies necessary to decarbonize the environment and economy; (iv) prepare for future climate-driven impacts on the transmission and distribution systems; (v) accommodate increased transportation electrification, increased building electrification and other potential future demands on distribution and, where applicable, transmission systems; and (vi) minimize or mitigate impacts on the ratepayers of the commonwealth, thereby helping the commonwealth realize its statewide greenhouse gas emissions limits and sublimits under chapter 21N.

(b) An electric-sector modernization plan developed pursuant to subsection (a) shall describe in detail each of the following elements: (i) improvements to the electric distribution system to increase reliability and strengthen system resiliency to address potential weather-related and disaster-related risks; (ii) the availability and suitability of new technologies including, but not limited to, smart inverters, advanced metering and telemetry and energy storage technology for meeting forecasted reliability and resiliency needs, as applicable; (iii) patterns and forecasts of distributed energy resource adoption in the company's territory and upgrades that might facilitate or inhibit increased adoption of such technologies; (iv) improvements to the distribution system that will enable customers to express preferences for access to renewable energy resources; (v) improvements to the distribution system that will facilitate transportation or building electrification; (vi) improvements to the transmission or distribution system to facilitate achievement of the statewide greenhouse gas emissions limits under chapter 21N; (vii) opportunities to deploy energy storage technologies to improve renewable energy utilization and avoid curtailment; (viii) alternatives to proposed investments, including changes in rate design, load management and other methods for reducing demand, enabling flexible demand and supporting dispatchable demand response; and (ix) alternative approaches to financing proposed investments, including, but not limited to, cost allocation arrangements between developers and ratepayers and, with respect to any proposed investments in transmission systems, cost allocation arrangements and methods that allow for the equitable allocation of costs to, and the equitable sharing of costs with, other states and populations and interests within other states that are likely to benefit from said investments. For all proposed investments and alternative approaches, each electric company shall identify customer benefits associated with the investments and alternatives including, but not limited to, safety, grid reliability and resiliency, facilitation of the electrification of buildings and transportation, integration of distributed energy resources, avoided renewable energy curtailment, reduced greenhouse gas emissions and air pollutants, avoided land use impacts and minimization or mitigation of impacts on the ratepayers of the commonwealth.

(c) In developing a plan pursuant to subsection (a), an electric company shall:

(i) prepare and use 3 planning horizons for electric demand, including a 5-year forecast, a 10-year forecast and a demand assessment through 2050 to account for future trends, including, but not limited to, future trends in the adoption of renewable energy, distributed energy resources and energy storage and electrification technologies necessary to achieve the statewide greenhouse gas emission limits and sublimits under chapter 21N;

(ii) consider and include a summary of all proposed and related investments, alternatives to these investments and alternative approaches to financing these investments that have been reviewed, are under consideration or have been approved by the department previously; and

(iii) solicit input, such as planning scenarios and modeling, from the Grid Modernization Advisory Council established in section 92C, respond to information and document requests from said council and conduct technical conferences and a minimum of 2 stakeholder meetings to inform the public, appropriate state and federal agencies and companies engaged in the development and installation of distributed generation, energy storage, vehicle electrification systems and building electrification systems.

(d) An electric company shall submit its first plan for review, input and recommendations to the Grid Modernization Advisory Council established in section 92C by September 1, 2023, and thereafter once every 5 years in accordance with a schedule determined by the department; provided, however, that the plan shall be submitted to the Grid Modernization Advisory Council not later than 150 days before the electric company files the plan with the department; and provided further, that the Grid Modernization Advisory Council shall return the plan to the company with recommendations not later than 70 days before the company files the plan with the department.

An electric company shall submit its electric-sector modernization plan, together with a demonstration of the Grid Modernization Advisory Council's review, input and recommendations, including, but not limited to, a list of each individual recommendation, the status of each recommendation and an explanation of whether and why each recommendation was adopted, adopted as modified or rejected, along with a statement of any unresolved issues, to the department in accordance with a schedule determined by the department. The electric company shall be permitted to include in base electric distribution rates all prudently incurred plant additions that are used and are useful. The department shall promptly consider the plan and shall provide an opportunity for interested parties to be heard in a public hearing. The department shall approve, approve with modifications or reject the plan within 7 months of submittal. In order to be approved, a plan shall provide net benefits for customers and meet the criteria enumerated in clauses (i) to (vi), inclusive, of subsection (a).

(e) An electric-sector modernization plan developed by an electric company pursuant to subsection (a) shall propose discrete, specific, enumerated investments to the distribution and, where applicable, transmission systems, alternatives to such investments and alternative approaches to financing such investments, that facilitate grid modernization, greater reliability, communications and resiliency, increased enablement of distributed energy resources, increased transportation electrification, increased building electrification and the minimization or mitigation of ratepayer impacts, in order to meet the statewide greenhouse gas emissions limits and sublimits under chapter 21N. An electric company shall submit 2 reports per year to the department and the joint committee on telecommunications, utilities and energy on the deployment of approved investments in accordance with any performance metrics included in the approved plans.

Section 92C. (a) There shall be a Grid Modernization Advisory Council to consist of the commissioner of energy resources, or a designee, who shall serve as chair; the attorney general, or a designee; the executive director of the Massachusetts clean energy technology center, or a designee; 13 members to be appointed by the governor, 1 of whom shall be a representative of middle-income and low-income residential consumers, 1 of whom shall be a representative from a local agency administering the low-income weatherization assistance program, 1 of whom shall be a representative of the environmental advocacy community, 1 of whom shall be a representative of an environmental justice community organization, 1 of whom shall be a representative of the transmission scale renewable energy industry with expertise in projects of greater than 20 megawatts, 1 of whom shall be a representative of the distributed generation scale renewable energy industry with expertise in projects of less than 5 megawatts, 1 of whom shall be a representative of the energy storage industry, 1 of whom shall be a representative of the electric vehicle industry, 1 of whom shall be a representative of the building electrification industry, 1 of whom shall be a representative of municipal or regional interests, 1 of whom shall have technical and engineering expertise in interconnecting clean energy, 1 of whom shall be a representative of businesses, including large commercial and industrial end-use customers and 1 member from each electric company operating in the commonwealth who shall serve as non-voting members. Members shall serve for terms of 5 years and may be reappointed.

(b) The council shall seek to encourage least-cost investments in the electric distribution systems, alternatives to the investments or alternative approaches to financing investments that will facilitate the achievement of the statewide greenhouse gas emission limits and sublimits under chapter 21N and increase transparency and stakeholder engagement in the grid planning process. The council shall review and provide recommendations on electric-sector modernization plans developed pursuant to subsection (a) of section 92B that maximize net customer benefits and demonstrate cost-effective investments in the distribution grid, including investments to enable interconnection of, and communication with, distributed energy resources and transmission-scale renewable energy resources, facilitate electrification of buildings, transportation and other sectors, improve grid reliability and resiliency, minimize or mitigate impacts on ratepayers throughout the commonwealth and reduce impacts on and provide benefits to low-income ratepayers throughout the commonwealth. The council shall cooperate and coordinate with the clean energy transmission working group.

(c) The council shall annually submit to the department a proposal regarding the level of funding required for the retention of expert consultants and reasonable administrative costs. The proposal shall be approved by the department either as submitted or as modified by the department. The department shall allocate funds sufficient for these purposes from the natural gas and electric efficiency funding authorized under section 19 of chapter 25; provided, however, that such allocation shall not exceed 1 per cent of such funding on an annual basis. The consultants used under this section shall be experts in energy distribution and transmission, energy efficiency or energy finance, and shall be independent.";

By striking out section 55 and inserting in place thereof the following section:

"SECTION 55. Said section 139 of said chapter 164, as so amended, is hereby further amended by adding the following subsection:—

(1) A Class I, Class II or Class III solar net metering facility shall be eligible to, or shall continue to, receive net metering credits as otherwise provided by this section if such facility is on the same parcel as any number of other such solar net metering facilities and if: (i) the net metering facilities are placed on a government-owned parcel; provided, however, that all facilities on the single parcel do not exceed an aggregate limit of 10 megawatts; (ii) the net metering facilities are placed on a single parcel of land where all buildings on that parcel comprise low or moderate income housing as defined in section 20 of chapter 40B; provided, however, that all facilities on the single parcel do not exceed an aggregate limit of 10 megawatts; (iii) each net metering facility is placed on a separate and distinct rooftop where no 2 systems occupy the same rooftop; provided, however, that all facilities on the single parcel do not exceed an aggregate limit of 2 megawatts; (iv) each net metering facility installed on the same rooftop is interconnected behind a meter of a separate customer; provided, however, that all the facilities on the single parcel do not exceed an aggregate limit of 10 megawatts; or (v) the additional net metering facilities are installed not less than 1 year after any previously installed facility was placed into service; provided, however, that all facilities on the single parcel do not exceed an aggregate limit of 2 megawatts. If all the net metering facilities located on a single parcel are net metering facilities of a municipality, the aggregate limit shall be 10 megawatts per single parcel. For purposes of this subsection, a solar net metering facility installed as a canopy over a parking area shall be considered to be installed on a rooftop.";

In section 61 by striking out subsection (a) and inserting in place thereof the following subsection:

"(a) To facilitate the financing of offshore wind energy generation resources in the commonwealth, every distribution company shall, in coordination with the department of energy resources, jointly and competitively solicit proposals for offshore wind energy generation; and provided, that reasonable proposals have been received, shall enter into cost-effective long-term contracts."; in paragraph (2) of subsection (e), by striking out the words "(e)(2) A proposed long-term contract shall be subject to the review and approval of the department of public utilities" and inserting in place thereof the following: "(2) A proposed long-term contract shall be subject to the review and approval of the department of public utilities and shall be apportioned among the distribution companies.";

In section 63 by striking out section 11A and inserting in place thereof the following section:

"Section 11A. The department of energy resources shall promulgate regulations to include in the solar incentive program established in section 11 and in any successor solar incentive program requirements for pollinator-friendly solar installations for ground mounted solar installations that remove vegetation as part of such installations. The department of energy resources shall develop criteria for such installations and require that pollinator-friendly solar installations be certified by a recognized pollinator-friendly solar photovoltaic certification program at a higher education institution in the commonwealth or that have obtained another equivalent certification as determined by said department.

The department of energy resources shall offer a rebate for reasonable certification program costs to comply with pollinator-friendly requirements. Said rebate shall be approved by the department of public utilities and recoverable from distribution company ratepayers. Eligibility for such rebates shall include, but not be limited to, solar tariff generation units that, as of December 30, 2021, had received from the department of energy resources a preliminary statement of qualification or

were on hold for such statement of qualification pending expansion of the capacity of the department's solar incentive program and are now otherwise eligible for said rebates.";

In section 68, in the second sentence, by striking out the date: "October 1, 2022" and inserting in place thereof the following: "30 days after the effective date of this act";

In section 70, in subsection (c), by striking out the date: "September 31, 2023" and inserting in place thereof the date: "September 30, 2023";

In section 81 by striking out the first paragraph of subsection (a) and inserting in place thereof the following paragraph:

"There shall be within the executive office of energy and environmental affairs, but not subject to the control of the office, an intergovernmental coordinating council to implement an electric vehicle charging infrastructure deployment plan. The council shall consist of the following 11 members: the secretary of energy and environmental affairs or designee, who shall designate the chair of the council; the commissioner of environmental protection or designee; the commissioner of energy resources or designee; the secretary of the Massachusetts Department of Transportation or designee; the general manager of the Massachusetts Bay Transportation Authority or designee; the secretary of housing and economic development or designee; the secretary of administration and finance or designee; the executive director of a regional planning agency or designee, who shall be appointed by the governor; the commissioner of public utilities or designee; and the chairs of the joint committee on telecommunications, utilities and energy or their designees, who shall serve as nonvoting members with respect to any spending matter. The council shall assess and report on strategies and plans necessary to deploy electric vehicle charging infrastructure to establish an equitable, interconnected, accessible and reliable electric vehicle charging network. The deployment plan shall facilitate: (i) compliance with the greenhouse gas emissions limits and sublimits set pursuant to sections 3 and 3A of chapter 21N of the General Laws, with emphasis on compliance with the emissions limits and sublimits set for 2025 and 2030; (ii) attainment of the numerical benchmarks for electric vehicles and electric vehicle charging stations set pursuant to section 5 of said chapter 21N; (iii) cessation, by December 31, 2035, of in-state sales of non-zero-emission vehicles; and (iv) advancement of access to, and affordability of, electric vehicle charging and fueling."; by striking out subsections (e) and (f) and inserting in place thereof the following subsection:

"(e) There is hereby established and set up on the books of the commonwealth a separate fund to be known as the Charging Infrastructure Deployment Fund for the purpose of ensuring a holistic, coordinated and comprehensive deployment of electric vehicle charging infrastructure. The fund shall be credited with: (i) revenue from appropriations or other money authorized by the general court and specifically designated to be credited to the fund; (ii) interest earned on such revenue; and (iii) funds from public and private sources and other gifts, grants and donations. All amounts credited to the fund shall be expended solely for activities and expenditures consistent with the purposes of this section, including the ordinary and necessary expenses of administration and operation of the fund; provided, however, that no expenditure made from the fund shall cause the fund to become deficient at any point during the fiscal year. Any money remaining in the fund at the end of a fiscal year shall not revert to the General Fund.";

By striking out section 84 and inserting in place thereof the following section:

"SECTION 84. (a) For the purposes of this section, the following terms shall have the following meanings unless the context clearly requires otherwise:

'Fossil fuel-free', as defined by a city or town to include, but not be limited to, an entire building or entire condominium unit that does not, in support of its operation after construction, utilize coal, oil, natural gas, other fuel hydrocarbons, including synthetic equivalents, or other fossil fuels.

'Local approval', by a majority vote of the: (i) city council with the approval of the mayor in the case of a city with a mayor elected to serve as the chief executive officer of the city; (ii) city council in every other city; (iii) annual town meeting or a special town meeting called for that purpose in the case of a municipality with a town meeting form of government; or (iv) town council in the case of a municipality with a town council form of government.

(b) The department of energy resources shall establish a demonstration project in which cities and towns may, notwithstanding chapter 40A of the General Laws, section 13 of chapter 142 of the General Laws and chapter 164 of the General Laws or any other general or special law to the contrary, adopt and amend general or zoning ordinances or by-laws that require new building construction or major renovation projects to be fossil fuel-free, and enforce restrictions and prohibitions on new building construction and major renovation projects that are not fossil fuel-free, including through the withholding or conditioning of building permits; provided, that said restrictions and prohibitions shall not apply to research laboratories for scientific or medical research, or to hospitals or medical offices regulated by the department of public health as a health care facility.

(c) The department shall approve not more than 10 applications for participation in the demonstration project under this section. No city or town shall apply for acceptance into the demonstration project until it has received local approval and has submitted a home rule petition to the general court on the subject matter of this section; provided, that the department shall issue approvals under this section to not more than 10 applications in the order in which cities and towns have submitted or submit home rule petitions to the general court; provided further, that the department shall, in the interest of increasing housing production in the commonwealth, withhold approval of an application by a city or town applying to participate in the demonstration project until such time as said city or town has: (i) met the 10 per cent housing affordability threshold set under chapter 40B of the General Laws or has been granted safe harbor status through an approved Housing Production Plan by the department of housing and community development; or (ii) has approved a zoning ordinance or by-law that provides for at least 1 district of reasonable size in which multi-family housing is permitted as of right; provided, that such multi-family housing shall be without age restrictions and shall be suitable for families with children; provided further, that a city or town that met the 10 per cent affordability threshold as of December 21, 2020, shall be deemed to have satisfied the requirements of this paragraph. For the purposes of this section, multi-family housing shall be a building with 3 or more residential dwelling units or 2 or more buildings on the same lot with more than 1 residential dwelling unit in each building and a district of reasonable size shall have a minimum gross density of 15 units per acre, subject to any further limitations imposed by section 40 of chapter 131 of the General Laws and title 5 of the state environmental code established pursuant to section 13 of chapter 21A of the General Laws. If said city or town fails to: (i) meet the 10 per cent housing affordability threshold or receive safe harbor status within 18 months of the effective date of this act; or (ii) approve such a multifamily zoning ordinance or by-law within 18 months of the effective date of this act, said application shall expire and be deemed void, at which time the department shall, in lieu of approving said application, approve a substitute application from a city or town that has met the 10 per cent housing affordability threshold or received safe harbor status or has a zoning ordinance or by-law that complies with this section; provided, that the department may act on substitute applications without respect to the order of submission of home rule petitions to the general court; provided further, that the total number of communities approved for participation in the demonstration project shall at no point exceed 10.

(d) Nothing in this section shall inhibit or interfere with the department's obligation to promulgate a municipal opt-in specialized stretch energy code that includes, but shall not be limited to, net-zero building performance standards and a definition of net-zero building under section 31 of chapter 8 of the acts of 2021 nor shall anything in this section limit the ability for any community to opt in to such specialized code following its promulgation; provided, however, that nothing in this section shall interfere with the department's authority to set restrictions or limitations on fossil fuel construction necessary to meet the department's obligation to promulgate the specialized stretch energy code's net-zero building performance standards and definition of net-zero building designed to achieve compliance with the commonwealth's statewide greenhouse gas emission limits and sublimits established pursuant to chapter 21N of the General Laws.

(e) The department shall collect data from cities and towns approved under this section to monitor impacts of the ordinances and by-laws authorized by this section on emissions, building costs, operating costs, the number of building permits issued and other criteria as set by the department in consultation with participating cities and towns and the secretary of housing and economic development. Not later than September 30, 2024, and every year thereafter, the electric and gas distribution companies shall collect and annually report to the department, in a form approved by the department, the anonymized monthly totals of electricity and gas consumed, and corresponding electricity and gas bill amount, for each consumer: (i) residing in a newly constructed building or major renovation project subject to the demonstration in each municipality participating in the demonstration; and (ii) residing in a newly constructed building or major renovation project in a number of comparable municipalities, as selected by the department, not participating in the demonstration. The department shall make said data available in an anonymized and aggregated manner that protects against potential unmasking of customer data on its website in a machine-readable format and shall annually update the data for the duration of the demonstration. Not later than September 30, 2025, and every 2 years thereafter, the department shall compile a report to be filed not later than September 30 for the 2 previous calendar years with the senate and house committees on ways and means, the joint committee on housing and the joint committee on telecommunications, utilities and energy. The report shall summarize the data required to be collected under this paragraph and shall include, but not be limited to, an analysis of the net reduction in emissions: (i) for each newly constructed building or major renovation project subject to the demonstration in each municipality participating in the demonstration; and (ii) for each comparable newly constructed building or major renovation project in a number of comparable municipalities, as selected by the department, not participating in the demonstration. The report shall also analyze impacts on: housing production, if any; housing affordability, if any, including electric bills, heating bills and other operating costs; housing affordability for persons of low and moderate income, if any, including electric bills, heating bills and other operating costs; and any other matters set forth by the department after consultation with municipalities and with individuals, organizations and institutions knowledgeable about issues of housing and emissions reductions. The report shall also include recommendations for the continuation or termination of the demonstration project.

(f) The department of energy resources, in consultation with the executive office of energy and environmental affairs and the executive office of housing and economic development, may promulgate regulations to implement this section. If regulations are promulgated, said regulations shall be promulgated no later than July 1, 2023.";

In section 87 by striking out subsection (b) and inserting in place thereof the following subsection:

"(b) The department of transportation, in consultation with the department of energy resources and the department of elementary and secondary education, shall prepare a report that analyzes: (i) the number of fossil fuel-powered school buses in use in the commonwealth, delineated by school district; (ii) the number of zeroemission school buses in use in the commonwealth, delineated by school district; (iii) the annual cost of operating fossil fuel-powered school buses including, but not limited to, the cost of purchasing or contracting to use fossil fuel-powered buses and purchasing fossil fuels; (iv) the annual cost of operating zero-emission school buses including, but not limited to, the cost of purchasing or contracting to use zeroemission buses and the cost of purchasing or contracting to use charging stations and related charging infrastructure; (v) the projected cost differential between the sale or contracted use of fossil fuel-powered and zero-emission school buses; (vi) the estimated cost to replace fossil fuel-powered school buses with zero-emission school buses; (vii) the estimated environmental benefits of replacing fossil fuel-powered school buses with zero-emission school buses including, but not limited to, carbon reductions and related health benefits; (viii) the number of school districts that own their school bus fleets and the number of school districts that rent, lease or contract for school bus services; (ix) recommendations on how to structure a state incentive program to replace or support the replacement of all fossil fuel-powered school buses with zero-emission school buses; and (x) additional information relevant to informing a statewide plan to replace or support the conversion of all school buses from fossil fuel-powered school buses to zero-emission school buses.";

By inserting after section 87 the following section:

"SECTION 87A. (a) Notwithstanding any general or special law to the contrary, not later than July 1, 2023, any electric distribution company or municipal aggregator with a certified efficiency plan may submit proposed low- and moderate-income whole building efficiency, electrification and greenhouse gas emission reduction offerings to a limited number of participants within the low- and moderate-income customer groups to the department of public utilities for review. The offerings shall: (i) promote the adoption of whole building energy efficiency measures, including weatherization; (ii) require full displacement of fossil fuel heating and cooling equipment and fossil fuel cooking appliances, excluding outdoor grills; and (iii) promote adoption and installation of onsite renewable energy generation and energy storage. A renewable energy facility funded by the offerings made under this section shall be designated as a 'qualifying facility' as defined in 220 CMR 8.02. The offerings shall be designed to encourage customers to lower energy consumption, reduce demand, improve customer resiliency and reduce use of the distribution system.

(b) Costs incurred under this section may be recovered through the funding sources authorized in subsection (a) of section 19 of chapter 25 of the General Laws.

(c) Not later than August 1, 2026, the department shall file a report detailing the results of the offerings under this section, including: (i) an analysis of costs, benefits and scalability of the offerings; (ii) an analysis of the burdens to ratepayers of adding

solar, storage or other clean energy technologies into the energy efficiency programs; and (iii) recommendations for legislative changes to any energy efficiency and renewable energy generation incentive programs. The report shall be filed with the clerks of the senate and the house of representatives, the joint committee on telecommunications, utilities and energy and the house and senate committees on ways and means.";

In section 89, in subsection (b), by striking out the date: "July 1, 2023" and inserting in place thereof the date: "July 1, 2024";

In section 90 by striking out subsection (a); by striking out the following: "(b)(1) For the purposes of this subsection" and inserting in place thereof the following: "(a) For the purposes of this section"; and by striking out the following: "(2)" and inserting in place thereof the following: "(b)"; and

In section 94 by striking out the following: "Section 26" and inserting in place thereof the following: "Sections 23 to 31, inclusive,".

After remarks (Ms. Hogan of Stow having returned to the Chair) the further amendments were adopted, thus precluding a vote on the pending amendments. Sent to the Senate for its action.

Emergency Measures.

Mr. Donato of Medford being in the Chair,— The engrossed Bill relative to Massachusetts' transportation resources and climate (see House, No. 5151), 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.

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 16 to 0. Sent to the Senate for concurrence.

Subsequently (Ms. Hogan of Stow having returned to the Chair), 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 "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See Yea and Nay No. 270 in Supplement.]

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

Mr. Donato of Medford being in the Chair,— The engrossed Bill authorizing the conveyance of certain parcels of real estate between the Department of Conservation and Recreation and the town of Holden (see Senate, No. 3031, 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.

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 16 to 0. Sent to the Senate for concurrence.

Subsequently (Ms. Hogan of Stow having returned to the Chair), the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the Senate) was put upon its final passage.

Transportation bond.

Bill enacted (state loan), yea and nay No. 270.

Holden, land. 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.

[See <u>Yea and Nay No. 271</u> in Supplement.]

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

Mr. Donato of Medford being in the Chair,— The engrossed Bill authorizing the town of Billerica to transfer certain parcels of land (see Senate, No. 3062, 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.

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 16 to 0. Sent to the Senate for concurrence.

Subsequently (Ms. Hogan of Stow having returned to the Chair), 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 (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.

[See <u>Yea and Nay No. 272</u> 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 — Land Taking.

The engrossed Bill authorizing the town of Carver to transfer certain real property, including water wells and a pumping station, to the Cranberry Village Residents Association, Inc. for water supply purposes (see Senate, No. 3053, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 273</u> in Supplement.]

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

Recess.

At twelve minutes after six o'clock P.M. (Sunday, July 31), on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House recessed subject to the call of the Chair; and at ten minutes before eight o'clock the House was called to order with Ms. Hogan in the Chair.

Bill enacted (land taking), yea and nay No. 271.

Billerica, land.

Bill enacted (land taking), yea and nay No. 272.

Carver, land.

Bill enacted (land taking), yea and nay No. 273.

Recess.

Mr. Donato of Medford being in the Chair,— 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 4800) of the Senate Bill relative to equity in the cannabis industry (Senate, No. 2823), recommending passage of a bill with the same title (Senate, No. 3096), accepted by the Senate, was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of Rule 7A, on motion of Ms. Hogan of Stow, the report was considered forthwith; and it was accepted, in concurrence.

Ms. Hogan of Stow being in the Chair,— 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 4891) of the Senate Bill addressing barriers to care for mental health (Senate, No. 2584), recommending passage of a bill with the same title (Senate, No. 3097), came from the Senate with the endorsement that it had been accepted by said branch.

Under suspension of the rules, on motion of Mr. Madaro of Boston, the report was considered forthwith; and it was accepted, in concurrence.

Mr. Donato of Medford being in the Chair,— The House Bill relative to taking or transmitting images of crime victims by first responders (House, No. 1917, amended), 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 3092; and striking out the title and inserting in place thereof the following title: "An Act regulating the taking or transmitting images of crime victims by first responders.". The amendments were referred, under Rule 35, to the committee on Bills in the Third Reading.

Said committee then reported that the amendments were correctly drawn; and they were discharged from their position in the Orders of the Day, and considered forthwith, under suspension of Rule 47, on motion of Ms. Garlick of Needham; and they were adopted, in concurrence.

Ms. Hogan of Stow being in the Chair,— The House Bill establishing a Beachwood/Lenstock Maintenance District in the town of Stockbridge (House, No. 4316), 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 3093. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Said committee then reported that the amendments were correctly drawn; and they was discharged from its position in the Orders of the Day, and considered forthwith, under suspension of Rule 47, on motion of Ms. Garlick of Needham; and it was adopted, in concurrence. Cannabis industry.

Mental health.

First responders, image transmittal.

Stockbridge, district.

Lynn, land.

Mr. Donato of Medford being in the Chair,— The House Bill authorizing the city of Lynn to grant a conservation restriction to park lands, forest lands and watershed lands to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in Lynn, Saugus, and Lynnfield, Massachusetts (House, No. 5155, amended), came from the Senate passed to be engrossed, in concurrence, with amendments striking out section 3; and inserting before the enacting clause the following emergency preamble:

[sic] "Whereas, the deferred operation of this act would tend to defeat its purpose which is to authorize forthwith the city of Lynn to grant a conservation restriction to the department of conservation and recreation through certain parcels of land in the municipalities of Lynn, Saugus and Lynnfield, therefore it is hereby declared to be an emergency law necessary for the immediate protection of the public convenience.".

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

Said committee then reported that the amendments were correctly drawn; and it was discharged from its position in the Orders of the Day, and considered forthwith, under suspension of Rule 47, on motion of Ms. Garlick of Needham; and it was adopted, in concurrence.

A Bill establishing a Greylock Glen commission (Senate, No. 3095) (on Senate bill No. 559), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Reports of Committees.

The Speaker being in the Chair,— By Mr. Parisella of Beverly, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2862) of the House Bill regulating sports wagering (House, No. 3993), reported a bill with the same title (House, No. 5164). 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 motion of Mr. Parisella of Beverly, the report was considered forthwith; and it was accepted. Sent to the Senate for concurrence.

Ms. Hogan of Stow being in the Chair,— By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the transfer of certain parcels of land in the towns of Templeton, Phillipston and Royalston (Senate, No. 3020), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5158. 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 3020, amended) was ordered to a third reading.

Greylock Glen commission.

Sports wagering.

Templeton, Phillipston and Royalston, land. Subsequently, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Mr. Donato of Medford being in the Chair,— By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill relative to sustainability and resiliency in the Dorchester section of the city of Boston (Senate, No. 3088), ought to pass with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in House document numbered 5160. 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 motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the bill (Senate, No. 3088, amended) was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

Boston, land.

Ms. Hogan of Stow being in the Chair,— By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel in the Roxbury section of the city of Boston (House, No. 4310), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5159). 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Mr. Donato of Medford being in the Chair,---

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the town of Ayer select board to acquire a water line easement on land of the Department of Conservation and Recreation (House, No. 4811), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5161). 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee

Boston,— Dorchester sustainability.

land.

Ayer,-

on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Danvers (House, No. 5032), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 5162). 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 Rule 7A, on motion of Mr. Michlewitz of Boston, the bill was read a second time forthwith. The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Subsequently, under suspension of the rules, on motion of Ms. Garlick of Needham, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

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

Ms. Hogan of Stow being in the Chair,— The Senate amendment of the House Bill prohibiting license revocation for student loan default (House, No. 4339), 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. Garlick of Needham.

The same member then moved that the House concur with the Senate in its amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3058) with a further amendment by striking out all after the enacting clause (inserted by amendment by the Senate) and inserting in place thereof the text contained in House document numbered 5195.

The further amendment was adopted. The House then concurred with the Senate in its amendment, as amended. Sent to the Senate for concurrence in the further amendment.

Mr. Donato of Medford being in the Chair,— The Senate amendment of the House Bill relative to regular compensation for certain retirees and active retirement system members (House, No. 4338), 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. Garlick of Needham; and it was adopted, in concurrence.

The Senate amendment of 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), reported by the committee on Bills in the Third Reading to be correctly drawn, was Danvers, land.

Student loan default,— licenses.

Retirees, regular compensation.

Framingham, land. taken from its position in the Orders of the Day, under suspension of Rule 47, on motion of Ms. Garlick of Needham; and it was adopted, in concurrence.

Emergency Measures.

Ms. Hogan of Stow being in the Chair,— There being no objection,— The engrossed Bill providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (see House bill printed in House, No. 4981), 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.

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

The engrossed Bill driving clean energy and offshore wind (see House, No. 5060, 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.

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 38 to 0. Sent to the Senate for concurrence.

Subsequently (Mr. Donato of Medford having taken the Chair), the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be re-enacted, in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed Bills.

Ms. Hogan of Stow being in the Chair,— The engrossed Bill establishing a sick leave bank for Charles H. Bletzer, an employee of the Trial Court of the Commonwealth (see House, No. 4323, amended) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill relative to the governance, structure and care of veterans at the Commonwealth's veterans' homes (see House, No. 5106, amended) (which originated in the House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepare for final passage, was passed to be re-enacted in its amended form; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill to establish an incumbent health care worker certified nursing assistant (CNA) certification pilot program 5128, amended) (which originated in the

Transportation bond.

Bill enacted.

Clean energy and offshore wind.

Bill enacted.

Bill re-enacted.

Id.

House) (which had been returned by His Excellency the Governor with recommendation of amendment), having been certified by the Clerk to be rightly and truly prepare for final passage, was passed to be re-enacted in its amended form; and it was signed by the acting Speaker and sent to the Senate.

Engrossed bills

Relative to school operational efficiency (see House, No. 596, amended);

Establishing a Beachwood/Lenstock Maintenance District in the town of Stockbridge (see House, No. 4316, amended);

Relative to regular compensation for certain retirees and active retirement system members (see House, No. 4338, amended);

To preserve special needs trusts for disabled seniors (see House, No. 4792, amended); and

Relative to the appointment of special police officers in the city of Fall River (see House, No. 4870, amended);

(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.

Mr. Donato of Medford being in the Chair,-

Engrossed bills

Relative to equity in the cannabis industry (see Senate, No. 3096) (which originated in the Senate);

Regulating the taking or transmitting images of crime victims by first responders (see House, No. 1917, amended);

Authorizing the town of Wellesley to grant certain licenses for the temporary sale of alcoholic beverages (see House, No. 5016, amended); and

Authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel in the Roxbury section of the city of Boston (see House, No. 5159);

(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.

Engrossed Bills — Land Takings.

Ms. Hogan of Stow being in the Chair,— The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to lease the former Joseph Lee Pool Complex located in the city of Boston (see Senate, No. 3004, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 274</u> in Supplement.]

lease.

Boston,---

Bill enacted (land taking), yea and nay No. 274.

Bills enacted.

Bills enacted.

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

The engrossed Bill further regulating the transfer of care and control of certain parcels of land in the town of Bridgewater from the Department of Correction to the Department of Fire Services (see Senate, No. 3065, amended) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 275</u> in Supplement.]

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

The engrossed Bill authorizing the town of Nantucket to convey a certain parcel of land acquired for park purposes to the Nantucket Conservation Foundation, Inc. for open space, recreational and conservation purposes (see Senate, No. 3091) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 276</u> in Supplement.]

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

The engrossed Bill authorizing the town of Nantucket to convey certain parcels of land acquired for conservation or recreational purposes (see Senate, No. 3090) (which originated in the Senate), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 277</u> in Supplement.]

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

Emergency Measures.

The engrossed Bill to extend live horse racing and simulcasting in the Commonwealth (see House, No. 5047, amended), having been certified by the Clerk

Bridgewater, land.

Bill enacted (land taking), yea and nay No. 275.

Nantucket, land.

Bill enacted (land taking), yea and nay No. 276.

Nantucket, land.

Bill enacted (land taking), yea and nay No. 277.

Simulcasting.

to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

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 35 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 passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill authorizing the transfer of the care and control of certain parcels of land in the town of Monson (see Senate, No. 3064, 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.

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 23 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 (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.

[See <u>Yea and Nay No. 278</u> in Supplement.]

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

The engrossed 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 (see Senate, No. 3073, 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.

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 14 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 (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.

[See <u>Yea and Nay No. 279</u> in Supplement.]

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

Mr. Donato of Medford being in the Chair,— The engrossed Bill authorizing the transfer of certain parcels of land in the towns of Templeton, Phillipston and Royalston (see Senate, No. 3020, amended), having been certified by the Clerk to be

Bill enacted.

Monson, land.

Bill enacted (land taking), yea and nay No. 278.

Hubbardston, land.

Bill enacted (land taking), yea and nay No. 279.

Templeton, Phillipston and Royalston, land. rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

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 30 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 (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.

[See <u>Yea and Nay No. 280</u> in Supplement.]

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

The engrossed Bill authorizing the city of Lynn to grant a conservation restriction to park lands, forest lands and watershed lands to the Department of Conservation and Recreation and the Essex County Greenbelt Association, Inc. in Lynn, Saugus, and Lynnfield, Massachusetts (see House, No. 5155, 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.

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 31 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.

[See <u>Yea and Nay No. 281</u> in Supplement.]

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

The engrossed Bill relative to sustainability and resiliency in the Dorchester section of the city of Boston (see Senate, No. 3088, 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.

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 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 (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. 280.

Lynn, land.

Bill enacted (land taking), yea and nay No. 281.

Boston, lease.

Bill enacted (land taking), yea and nay No. 282.

[See <u>Yea and Nay No. 282</u> in Supplement.]

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

The engrossed Bill authorizing the town of Ayer select board to acquire a water line easement on land of the Department of Conservation and Recreation (see House, No. 5161), 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.

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 38 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.

[See <u>Yea and Nay No. 283</u> 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—Land Taking.

The engrossed Bill to permit the creation of a right-turn lane from Edgell road to Central street in the city of Framingham (see House, No. 5095, amended) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, 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.

[See <u>Yea and Nay No. 284</u> 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 — State Loan.

The Speaker being in the Chair,— The engrossed Bill to improve and modernize the information technology systems and capacities of the judiciary (see House, No. 5163, 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.

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 43 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.

Ayer, easement.

Bill enacted (land taking), yea and nay No. 283.

Framingham, land.

Bill enacted (land taking), yea and nay No. 284.

Judiciary, information technology. On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 147 members voted in the affirmative and 6 in the negative.

[See <u>Yea and Nay No. 285</u> in Supplement.]

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

Engrossed Bills.

The engrossed Bill regulating sports wagering (see House, No. 5164) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered.

Pending the question on passing the bill to be enacted, Ms. Garlick of Needham moved that Rule 40 be suspended; and the motion prevailed.

The same member then moved to amend the bill by inserting before the enacting clause the following emergency preamble:

"Whereas, The deferred operation of this act would tend to defeat its purpose, which is forthwith to provide for economic investments and job creation associated with sports wagering in the commonwealth, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.".

The amendment was adopted; and the bill (see House, No. 5164, amended) was sent to the Senate for concurrence in the amendment.

Subsequently, the Senate having concurred in adoption of the amendment, the bill, having been certified by the Clerk to be rightly and truly prepared for final passage, was placed before the House, the question being on adopting the emergency preamble.

A separate vote then 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 37 to 0. Sent to the Senate for concurrence.

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 151 members voted in the affirmative and 2 in the negative.

[See <u>Yea and Nay No. 286</u> in Supplement.]

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

The engrossed Bill addressing barriers to care for mental health (see Senate, No. 3097) (which originated in the Senate), 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 Speaker and sent to the Senate.

Order.

On motion of Ms. Hogan of Stow,—

Ordered, That when the House adjourns today, it adjourn to meet on Thursday next at eleven o'clock A.M.

Bill enacted, yea and nay No. 286.

Bill enacted.

Next

sitting.

Sports wagering.

Bill enacted (state loan), yea and nay No. 285. Mr. Jones of North Reading then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at ten minutes after ten o'clock A.M. (Monday, August 1) (the Speaker being in the Chair), the House adjourned, to meet the following Thursday at eleven o'clock A.M., in an Informal Session.