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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**THURSDAY, JULY 13, 2023.**

[61]\*

# JOURNAL OF THE HOUSE.

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Thursday, July 13, 2023.

Met according to adjournment at eleven o'clock A.M., with Mr. Garballey of Arlington in the Chair (having been appointed by the Speaker, under authority conferred by Rule 5, to perform the duties of the Chair).

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

Pledge of  
allegiance.

## *Silent Prayer.*

During the session, at the request of Representatives Uytterhoeven of Somerville, Cassidy of Brockton and Sousa of Framingham (the Speaker being in the Chair), the members, guests and employees stood in a moment of silent tribute in respect to the memory of Officer Tiffany Bodinizzo who served at MCI-Framingham, and tragically passed away on July 5th, 2023. She was only 36 years old.

Tiffany  
Bodinizzo.

Officer Bodinizzo was not your average officer in the Department of Correction. She always took new staff under her wing and would help them learn their jobs the correct way. She was someone who was willing to offer her assistance to anyone in need whether on the job or off. Officer Bodinizzo always performed her job with grace and dignity and was a role model to the individuals under her care. She managed to stay positive in an environment that can be difficult even when working double shifts. Officer Bodinizzo always knew how to bring out the best in others and could make anyone laugh and smile even on their worst day. She will not be forgotten by her brothers and sisters in the Department of Correction or the individuals under her care.

## *Statement Concerning Representative Capano of Lynn.*

A statement of Mr. Michael J. Moran of Boston concerning Mr. Capano of Lynn was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Mr. Capano of Lynn, is unable to be present in the House Chamber for today's sitting due to a rare, preplanned, and important family matter that required his presence. His missing of roll calls today is due entirely to the reason stated.

Statement  
concerning  
Mr. Capano  
of Lynn.

## *Statement Concerning Representative Rogers of Norwood.*

A statement of Ms. Peisch of Wellesley concerning Mr. Rogers of Norwood was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Mr. Rogers of Norwood, was called away from today's formal

Statement  
concerning  
Mr. Rogers  
of Norwood.

session due to official business elsewhere. Had he been present he would have voted in the following manner:

Roll Call #26 on the Adoption of Consolidated Amendment “A” to H3982 – NO;  
and

Roll Call #27 on the Engrossment of H3982 – NO.

His missing of the roll calls today is entirely due to the reason stated.

*Distinguished Guest of the House.*

During the session, the Speaker took the Chair and introduced Hsiao Bi-khim, Taiwanese Representative to the United States. Speaker Mariano then read resolutions previously adopted by the House reaffirming the friendship between Massachusetts and Taiwan, support for a United States-Taiwan bilateral trade agreement and Taiwan’s international participation. Ambassador Hsiao Bi-khim then addressed the House.

Ambassador  
Hsiao Bi-khim.

*Resolutions.*

The following resolutions (filed with the Clerk) were referred, under Rule 85, to the committee on Rules:

Resolutions (filed by Representative Haddad of Somerset) congratulating Richmond J. Tripp on his one hundredth birthday;

Richmond  
Tripp.

Resolutions (filed by Representative McMurtry of Dedham) congratulating Roselyn Joy Murphy on achieving the rank of Eagle Scout of the Boy Scouts of America;

Roselyn  
Murphy.

Resolutions (filed by Representative McMurtry of Dedham) in recognition of Louis Jay Woolf upon his retirement; and

Louis  
Woolf.

Resolutions (filed by Representative Roy of Franklin) congratulating Irene Mary Kenney on celebrating her one hundredth birthday and wishing her much happiness in the days to come;

Irene  
Kenney.

Mr. Galvin of Canton, for the committee on Rules, reported, in each instance, that the resolutions ought to be adopted. Under suspension of the rules, in each instance, on motion of Mr. McMurtry of Dedham, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

*Communications.*

Communications

From the Massachusetts Technical Rescue Coordinating Council (see Section 2DDDDD of Chapter 29 of the General Laws) submitting its annual report for fiscal year 2023;

Technical  
rescue  
council.

From the Department of Public Health (see Section 2J of Chapter 111 of the General Laws) submitting the Public Health Grant Trust Fund Report 2022; and

Health Grant  
Trust Fund.

From the Executive Office for Administration and Finance (see item 1599-2051 of Section 2A of Chapter 102 of the Acts of 2021) providing a status report update regarding immediate Covid-19 recovery needs for the first quarter of calendar year 2023;

COVID-19,—  
recovery  
needs.

Severally were placed on file.

*Petitions.*

The following additional petitions (having been deposited in the office of the Clerk of the House, previously to five o'clock P.M., on Friday, January 20, 2023) were referred, under Rule 24 and Joint Rule 13, as follows:

By Representatives Domb of Amherst and Vargas of Haverhill, a petition (accompanied by bill, House, No. 3993) of Mindy Domb, Andres X. Vargas and others relative to farm and school partnerships in school meals;

School meals.

By Representative Vaughn of Wrentham, a petition (accompanied by bill, House, No. 3990) of Marcus S. Vaughn for legislation to establish a special commission (including members of the General Court) relative to the creation of a state-wide licensing board to license, prosecute and hold accountable club sports facilities;

Club sports.

Severally referred to the committee on Education.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representatives Cutler of Pembroke and LaNatra of Kingston, a petition (accompanied by bill, House, No. 3983) of Josh S. Cutler, Kathleen R. LaNatra and Susan L. Moran (by vote of the town) for legislation to further regulate the recall of elected officials in the town of Pembroke. To the committee on Election Laws.

Pembroke,—  
recall  
elections.

By Representatives Cutler of Pembroke and DeCoste of Norwell, a petition (accompanied by bill, House, No. 3984) of Josh S. Cutler, David F. DeCoste and Michael D. Brady (by vote of the town) for legislation to enhance enforcement in building and permitting compliance in the town Hanson;

Hanson,—  
building  
compliance.

By Representative Ferguson of Holden, a petition (accompanied by bill, House, No. 3985) of Kimberly N. Ferguson (by vote of the town) that the town of Rutland be authorized to establish an appointed town clerk in said town; and

Rutland,—  
town clerk.

By Representatives Soter of Bellingham and McKenna of Webster, a petition (accompanied by bill, House, No. 3986) of Michael J. Soter and Joseph D. McKenna (by vote of the town) relative to changing the name of the board of selectmen to select board in the town of Uxbridge.

Uxbridge,—  
select board.

Severally to the committee on Municipalities and Regional Government.

By Representative Balsler of Newton, a petition (accompanied by bill, House, No. 3987) of Ruth B. Balsler, Cynthia Stone Creem and Kay Khan (with the approval of the mayor and city council) relative to retired fire fighters in the city of Newton;

Newton,—  
retired  
fire fighters.

By Representative Blais of Deerfield and Senator Mark, a joint petition (accompanied by bill, House, No. 3988) of Natalie M. Blais and Paul W. Mark (by vote of the town) that the town of Charlemont be authorized to continue the employment of fire department member Dennis Annear; and

Charlemont,—  
Dennis  
Annear.

By the same members, a joint petition (accompanied by bill, House, No. 3989) of Natalie M. Blais and Paul W. Mark (by vote of the town) that the town of Rowe be authorized to continue the employment of fire department member Dennis Annear.

Rowe,—  
Dennis  
Annear.

Severally to the committee on Public Service.

Severally sent to the Senate for concurrence.

Representative Schmid of Westport presented a petition (subject to Joint Rule 12) of Paul A. Schmid, III relative to failed septic systems; and the same was referred, under Rule 24, to the committee on Rules.

Failed septic  
systems.

*Paper from the Senate.*

A report of the committee on Environment and Natural Resources, asking to be discharged from further consideration of the petition (accompanied by bill, Senate, No. 465) of Julian Cyr and Dylan A. Fernandes for legislation relative to indigenous representation on the Martha's Vineyard Commission,— and recommending the same be referred to the committee on Municipalities and Regional Government,— accepted by the Senate, was considered forthwith, under Rule 42; and it was accepted, in concurrence.

Martha's  
Vineyard  
Commission,—  
indigenous  
representation.

*Reports of Committees.*

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Hull to lease certain property and to extend leases on certain property to promote economic development and the more effective use of town property (House, No. 2083) [Local Approval Received], be scheduled for consideration by the House.

Hull,—  
land.

Under suspension of Rule 7A, on motion of Mr. Stanley of Waltham, the bill was read a second time forthwith; and it was ordered to a third reading.

By Mr. Gordon of Bedford, for the committee on Public Service, on House No. 20 and on a part of House, No. 16, a Bill clarifying and normalizing non-public school service purchases (House, No. 3977).

Non-public  
school service  
purchases.

By the same member, for the same committee, on House, No. 2479, a Bill clarifying the application of judicial retirement law (House, No. 3978).

Judicial  
retirement law.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Day of Stoneham, for the committee on the Judiciary, on a petition, a Bill establishing a sick leave bank for Ana C. Contreras (House, No. 3848).

Ana Contreras,—  
sick leave.

By Mr. Gordon of Bedford, for the committee on Public Service, on a petition, a Bill authorizing Thomas Harmon to purchase creditable service from the Barnstable County Retirement Board (House, No. 3655).

Thomas  
Harmon,—  
retirement.

By the same member, for the same committee, on a petition, a Bill authorizing John R. Stowe, Jr. to purchase creditable service from the Barnstable County Retirement Board (House, No. 3656).

John  
Stowe,—  
retirement.

By the same member, for the same committee, on a petition, a Bill authorizing Wayne A. Ellis to purchase creditable service from the Barnstable County Retirement Board (House, No. 3657).

Wayne  
Ellis,—  
retirement.

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Wendell and the town of New Salem to continue the employment of Joseph J. Cuneo (House, No. 3813) [Local Approval Received].

New Salem  
and Wendell,—  
Joseph Cuneo.

By the same member, for the same committee, on House, No. 3651, a Bill authorizing Cynthia Falzone to purchase creditable service from the Norfolk County Retirement Board (House, No. 3979) [Local Approval Received].

Cynthia  
Falzone,—  
retirement.

By the same member, for the same committee, on House, No. 3976, a Bill establishing a sick leave bank for Anastasios Milonopoulos, an employee of the Massachusetts Department of Correction (House, No. 3981).

Anastasios  
Milonopoulos,—  
sick leave.

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

*Emergency Measure.*

The engrossed Bill establishing a sick leave bank for Michael Grant, an employee of the Department of Correction (see House, No. 3821, 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.

Michael Grant,—  
sick leave.

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 18 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.

Bill enacted.

*Engrossed Bills.*

Engrossed bills

Changing the name of the board of selectmen of the town of Hanover to select board (see Senate, No. 1302) (which originated in the Senate); and

Bills enacted.

Authorizing the town of Berlin to grant up to 2 additional licenses for the sale of all alcoholic beverages not to be drunk on the premises (House, No. 345) (which 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; and they were signed by the acting Speaker and sent to the Senate.

*Orders of the Day.*

House bills

Exempting the position of police chief in the town of Lancaster from the provisions of the civil service law (House, No. 2571); and

Third reading bills.

Establishing a sick leave bank for Thomas Hartley, an employee of the Department of Correction (House, No. 3966) (its title having been changed by the committee on Bills in the Third Reading);

Severally reported by said committee to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally sent to the Senate for concurrence.

*Recess.*

At thirteen minutes before twelve o'clock noon, on motion of Ms. Gifford of Wareham (Mr. Garballey of Arlington being in the Chair), the House recessed until one o'clock P.M.; and at twenty-seven minutes after three o'clock, the House was called to order with the Speaker in the Chair.

Recess.

*Reports of Committees.*

Prior to the noon recess, Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 3869, reported, in part, a Bill making appropriations for the fiscal year 2023 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3982) [Total appropriation: \$692,950,563.00] Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Supplemental appropriations.

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 Ms. Peake of Provincetown, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, the noon recess having terminated, under suspension of the rules, on further motion of Mr. Michlewitz of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After debate on the question on passing the bill to be engrossed, Mr. Michlewitz of Boston and other members of the House moved to amend it in section 2, in item 4590-0950, by striking out the following: “4590-0950” and inserting in place thereof the following: “4590-0915”;

Consolidated amendments.

By inserting after section 2A the following six sections:—

SECTION 2AA. Paragraph (5) of subsection (q) of section 6 of chapter 62 of the General Laws, as amended by sections 218 to 220, inclusive, of chapter 7 of the acts of 2023, is hereby further amended by striking out the words “The total amount of credits that may be authorized by EOHLC in a calendar year pursuant to this subsection and section 38BB of chapter 63 shall not exceed \$10,000,000 and” and inserting in place thereof the following 3 sentences:— EOHLC may authorize up to \$30,000,000 in credits annually under this subsection and section 38BB of chapter 63. In addition, EOHLC may authorize annually (i) any portion of the annual cap on credits not authorized by EOHLC in the preceding calendar years under this subsection or said section 38BB of said chapter 63; and (ii) any credits under this subsection or said section 38BB of said chapter 63 returned to EOHLC by a certified housing development project. The total amount of credits authorized during a year.

SECTION 2BB. Said paragraph (5) of said subsection (q) of said section 6 of said chapter 62, as so amended, is hereby further amended by inserting after the words “chapter 63;” the following word:— and.

SECTION 2CC. Said paragraph (5) of said subsection (q) of said section 6 of said chapter 62, as so amended, is hereby further amended by striking out the words “Any portion of the \$10,000,000 annual cap not awarded by the EOHLC in a calendar year shall not be applied to awards in a subsequent year.”

SECTION 2DD. Subdivision (5) of section 38BB of chapter 63, as amended by sections 231 and 232 of chapter 7 of the acts of 2023, is hereby further amended by striking out the words “The total amount of credits that may be authorized by EOHLC in a calendar year under this section and subsection (q) of section (6) of chapter 62 shall not exceed \$10,000,000 and” and inserting in place thereof the following 3 sentences:— EOHLC may authorize up to \$30,000,000 in credits annually under this section and subsection (q) of section (6) of chapter 62. In addition, EOHLC may authorize annually (i) any portion of the annual cap on credits not authorized by EOHLC in the preceding calendar years under this section or said subsection (q) of said section (6) of said chapter 62; and (ii) any credits under this section or said subsection (q) of said section (6) of said chapter 62 returned to EOHLC by a certified housing development project. The total amount of credits authorized during a year.

SECTION 2EE. Said subdivision (5) of said section 38BB of said chapter 63, as so amended, is hereby further amended by inserting after the words “chapter 62;” the following word:— and.

SECTION 2FF. Said subdivision (5) of said section 38BB of said chapter 63, as so amended, is hereby further amended by striking out the words “Any portion of the \$10,000,000 annual cap not awarded by EOHLIC in a calendar year shall not be applied to awards in a subsequent year.”;

By inserting after section 21 the following section:

“SECTION 21A. Sections 46, 48, 61, 63 and 124A of chapter 287 of the acts of 2014, as most recently amended by section 26 of chapter 99 of the acts of 2018, are hereby repealed.”;

By inserting after section 22 the following two sections:

“SECTION 22A. Item 1599-0026 of section 2 of chapter 24 of the acts of 2021, as most recently amended by section 171 of chapter 268 of the acts of 2022, is hereby further amended by striking out the words ‘June 30, 2023’ and inserting in place thereof the following words:— June 30, 2024.

SECTION 22B. Item 1599-2051 of section 2A of chapter 102 of the acts of 2021, as amended by section 45 of chapter 2 of the acts of 2023, is hereby further amended by striking out the words ‘June 30, 2023’ and inserting in place thereof the following words:— June 30, 2027.”;

By inserting after section 23 the following two sections:

“SECTION 23A. Item 7008-1116 of section 2 of said chapter 126 is hereby amended by inserting after the words ‘Outside the Box’ the following words:— and such funds shall be made available until June 30, 2024.

SECTION 23B. Item 8000-0313 of said section 2 of said chapter 126 is hereby amended by inserting after the figure ‘2020’ the following words:— and such funds shall be made available until June 30, 2024.”;

By inserting after section 24 the following section:

“SECTION 24A. Subsection (c) of section 19 of chapter 154 of the acts of 2022 is hereby amended by striking out the words ‘June 1, 2023’ and inserting in place thereof the following words:— June 30, 2024.”;

In section 26, in line 223, by striking out the word “calendar” and inserting in place thereof the word “school”; and

By adding the following two sections:

“SECTION 29. Notwithstanding any general or special law to the contrary, in calendar year 2023, the executive office of housing and livable communities may authorize up to \$57,000,000 in credits under subsection (q) of section (6) of chapter 62 of the General Laws and section 38BB of chapter 63 of the General Laws. Any portion of this amount that is not authorized in calendar year 2023 shall be added to the amount the executive office of housing and livable communities may authorize in subsequent years under said subsection (q) of said section (6) of said chapter 62 and said section 38BB of said chapter 63.

SECTION 30. Sections 2AA to 2FF, inclusive, shall apply to tax years beginning on or after January 1, 2024.”.

After debate on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, as required under the provisions of House Rule 33F; and on the roll call 152 members voted in the affirmative and 3 in the negative.

**[See [Yea and Nay No. 26](#) in Supplement.]**

Therefore the consolidated amendments were adopted.

Consolidated  
amendments  
adopted,—  
yea and nay  
No. 26.



On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yea and nays, at the request of Mr. Michlewitz of Boston; and on the roll call 154 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 27 in Supplement.](#)]

[Ms. Sullivan-Almeida of Abington answered “Present” in response to her name.]

Therefore the bill (House, No. 3994, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,—  
yea and nay  
No. 27.

*Order.*

On motion of Mr. Donato of Medford,—

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

Next  
sitting.

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At twenty-nine minutes after five o’clock P.M., on motion of Mr. Jones of North Reading (the Speaker being in the Chair), the House adjourned, to meet the following Monday at eleven o’clock A.M., in an Informal Session.