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**The Commonwealth of Massachusetts**

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**JOURNAL OF THE HOUSE.**



**WEDNESDAY, MAY 13, 2020.**

[49]\*

# JOURNAL OF THE HOUSE.

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Wednesday, May 13, 2020.

Met according to adjournment at eleven o'clock A.M., pursuant to emergency rules, with Mr. Donato of Medford 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. Donato), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Silent Prayer.*

During the session the Speaker declared a recess; and at the request of Mr. McGonagle of Everett, the members and employees stood in a moment of silent tribute to the memory of recently retired Everett Police Captain Rick Basteri who passed away suddenly on May 3, 2020.

Former Everett  
Police Captain  
Rick Basteri.

Rick served the city of Everett in the police department since 1983 until his retirement two months ago. He proudly served alongside his wife, Officer Michelle Basteri and his two sons, Joe and Nick, who recently joined the force. He also leaves behind a daughter, Carley and a son, Rick. Captain Basteri was a beloved member of the Everett community and he will be dearly missed.

## *Message from the Governor.*

A message from His Excellency the Governor recommending legislation relative to making appropriations for fiscal year 2020 to authorize certain COVID-19 spending in anticipation of federal reimbursement (House, No. 4707), was filed in the office of the Clerk on Tuesday, May 12.

Supplemental  
appropriations.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

## *Papers from the Senate.*

The House Bill addressing COVID-19 data collection and disparities in treatment (House, No. 4672, amended), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2703. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading. Subsequently the amendment (having been reported by said committee to be correctly drawn) was considered forthwith.

COVID-19,—  
data  
collection.

Pending the question on adoption of the amendment, in concurrence, Mr. Speliotis of Danvers moved that the House concur with the Senate in its amendment 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 4710.

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.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

*Ordered*, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Safety and Homeland Security be granted until June 1, 2020, within which time to make its final report on current Senate document numbered 1401, relative to public safety.

Public Safety and Homeland Security committee,—extension of time for reporting.

Under suspension of the rules, on motion of Mr. Silvia of Fall River, the order (Senate, No. 2689) was considered forthwith; and it was adopted, in concurrence.

A petition (accompanied by bill, Senate, No. 2699) of Michael J. Barrett and Alice Hanlon Peisch (by vote of the town) for legislation relative to special police in the town of Weston, was referred, in concurrence, to the committee on Public Service.

Weston,—special police.

#### *Reports of Committees.*

Mr. Galvin of Canton, for the committee on Rules, reported (under the provisions of House Rules 7B and 7C) an Order relative to special procedures for consideration of the House Bill financing the general governmental infrastructure of the Commonwealth (House, No. 4039) [for order, see House, No. 4709]. The order was adopted.

Information technology bond.

By Mr. Galvin of Canton, for the committee on Rules, that Joint Rule 7B be suspended on the petition of John J. Mahoney, Hannah Kane and others relative to providing survivor benefits to Ava Roy, the daughter of fallen firefighter Christopher Roy. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence

Ava Roy,—benefits.

By Mr. Galvin of Canton, for the committee on Rules and the committees on Rules of the two branches, acting concurrently, that Joint Rule 12 be suspended on the following petitions:

Petition (accompanied by bill) of Jeffrey N. Roy, Jon Santiago and Nika C. Elugardo relative to elections and voting. To the committee on Election Laws.

Elections.

Petition (accompanied by bill) of Tami L. Gouveia and others relative to emergency hazard health benefits for essential employees. To the committee on Labor and Workforce Development.

Essential employees,—benefits.

Petition (accompanied by bill) of Mindy Domb and others for legislation to provide residents with access to face coverings for protection during the COVID-19 public health crisis. To the committee on Public Health.

Face coverings.

Petition (accompanied by bill) of Denise C. Garlick and Rebecca L. Rausch for legislation to establish a sick leave bank for Thomas Hartley, an employee of the Department of Correction. To the committee on Public Service.

Thomas Hartley,—sick leave.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the reports were considered forthwith. Joint Rule 12 then was suspended, in each instance. Severally sent to the Senate for concurrence.

By Mr. Michlewitz of Boston, for the committee on Ways and Means, that the House Bill financing the general governmental infrastructure of the Commonwealth (House, No. 4039), ought to pass with an amendment substituting therefor a bill with the same title (House, No. 4708) [Bond Issue: General Obligation Bonds: \$1,630,750,000.00].

Infrastructure  
bond bill.

Under suspension of the rules, on motion of the same member, the bill was read a second time forthwith.

The amendment previously recommended by the committee on Bonding, Capital Expenditures and State Assets,— to amend the bill by substitution of a bill with the same title (House, No. 4154),— was rejected.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill (House, No. 4708) was ordered to a third reading.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the following House bills be scheduled for consideration by the House:

Authorizing the town of Lunenburg to grant an additional license for the sale of wines and malt beverages on the premises to Lanni Orchards (House, No. 4644) [Local Approval Received]; and

Lunenburg,—  
liquor  
license.

Authorizing the town of Maynard to grant additional alcoholic beverages licenses (House, No. 4693) [Local Approval Received];

Maynard,—  
liquor licenses.

Under suspension of Rule 7A, in each instance, on motion of the same member, the bills severally were read a second time forthwith; and they were ordered to a third reading.

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the Senate Bill authorizing the city of Gloucester to designate certain property for conservation and recreation purposes (Senate, No. 2330) [Local Approval Received], be scheduled for consideration by the House.

Gloucester,—  
land.

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

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill authorizing the city of Lynn to use certain park land in said city for combined sewer overflow control purposes (House, No. 4362) [Local Approval Received], be scheduled for consideration by the House.

Lynn,—  
land.

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

#### *Orders of the Day.*

The Senate Bill establishing a sick leave bank for Jessica Zamansky, an employee of the Department of Transitional Assistance (Senate No. 2603) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was read a third time; and it was passed to be engrossed, in concurrence.

Third  
reading  
bill.

House bills

Establishing a sick leave bank for Jennifer Logan, an employee of the Office of the Chief Medical Examiner (House, No. 4655); and

Third reading bills.

Establishing a sick leave bank for Jennifer Brown, an employee of Department of Children and Families (House, No. 4678) (its title have 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.

The House report of the committee on Consumer Protection and Professional Licensure, ought NOT to pass (under Joint Rule 10) on the petition (accompanied by bill, House, No. 4288) of Patricia A. Haddad (by vote of the town) that the town of Somerset be authorized to grant additional licenses for the sale of alcoholic beverages to be drunk on the premises in said town, was considered.

Somerset,— liquor licenses.

Pending the question on acceptance of the report, the petition was recommitted, on motion of Mr. Chan of Quincy.

*Recess.*

At seventeen minutes after twelve o'clock noon, on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House recessed until five minutes before one o'clock P.M.; and at three minutes after one o'clock the House was called to order with the Mr. Donato in the Chair.

Recess.

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*Joint Session of the Two Houses to Consider Specific Amendments to the Constitution.*

At three minutes past one o'clock P.M., the two branches met in

Joint convention.

**JOINT SESSION**

and were called to order by the Honorable Michael F. Rush.

The Chair (Mr. Rush), the Speaker, members, guests and employees then recited the pledge of allegiance to the flag.

Pledge of allegiance.

Without action on the matters duly and constitutionally assigned for consideration, on motion of Mr. Tarr, at six minutes past one o'clock P.M., the joint session was recessed until one o'clock P.M., on Wednesday, December 16, 2020; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

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*Quorum.*

The Speaker having taken the Chair,—

As required under the provision of Emergency Rule 2(4), a roll call was taken for the purpose of ascertaining the presence of a quorum; and on the roll call 156 members were recorded as being in attendance.

Quorum,—  
yea and nay  
No. 167.

**[See Yea and Nay No. 167 in Supplement.]**

Therefore a quorum was present.

Subsequently a statement of Mr. Dooley of Norfolk 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 on the previous quorum roll call I was unable to connect with my Division Monitor due to technical difficulties and was therefore not recorded as being present.

Statement of  
Mr. Dooley  
of Norfolk.

*Engrossed Bills – Land Takings.*

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to grant an easement in the town of Princeton (see House, No. 4184) (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.

Princeton,—  
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 157 members voted in the affirmative and 0 in the negative.

Bill enacted  
(land taking),—  
yea and nay  
No. 168.

**[See Yea and Nay No. 168 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 authorizing the city of Springfield to convert the use of park land at DeBerry park for a new elementary school and to replace it with additional park land in the city of Springfield (see House, No. 4277) (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.

Springfield,—  
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 157 members voted in the affirmative and 0 in the negative.

Bill enacted  
(land taking),—  
yea and nay  
No. 169.

**[See Yea and Nay No. 169 in Supplement.]**

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

*Engrossed Bill – State Loan.*

The engrossed Bill to facilitate the delay of the income tax filing deadline (see House, No. 4677) (which originated in the House), in respect to which the Senate had concurred in adoption of the emergency preamble, was put upon its final passage.

Income  
tax filing.

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 157 members voted in the affirmative and 0 in the negative.

Bill enacted  
(state loan),—  
yea and nay  
No. 170.

**[See Yea and Nay No. 170 in Supplement.]**

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

*Order.*

On motion of Mrs. Haddad of Somerset,—

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

Next  
sitting.

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At six minutes before two 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 day at eleven o'clock A.M., in an Informal Session.