
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, NOVEMBER 5, 2020.

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JOURNAL OF THE HOUSE.

Thursday, November 5, 2020.

Met according to adjournment at eleven o'clock A.M., under emergency rules, with Mrs. Haddad of Somerset 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 (Mrs. Haddad), the members and employees joined with her in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Resolutions.

Resolutions (filed with the Clerk by Mr. Vega of Holyoke) congratulating Elizabeth Jubinville on the occasion of her one hundredth birthday, were referred under Rule 85, to the committee on Rules.

Elizabeth
Jubinville.

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

Papers from the Senate.

A Bill providing certain retirement benefits to the widow of police captain Richard Basteri of the city of Everett (Senate, No. 2914) (on a petition) [Local Approval Received], passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Everett,—
Richard
Basteri.

A message from His Excellency the Governor submitting (pursuant to Article LXXXVII of the Amendments to the Constitution) Reorganization Plan Number 1 of 2020, relative to transferring the Supplier Diversity Office (“SDO”) from the Operational Services Division and establishing an SDO as an independent agency within the Executive Office for Administration and Finance (Senate, No. 2937), was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Reorganization
Plan Number 1,—
Supplier
Diversity
Office.

A petition (accompanied by bill, Senate, No. 2938) of Brendan P. Crighton and Lori A. Ehrlich (by vote of the town) for legislation to authorize the town of Marblehead to amend Chapter 37 of the Acts of 2004: parking violations in the town of Marblehead, was referred, in concurrence, to the committee on Transportation.

Marblehead,—
parking
violations.

A petition (accompanied by bill) of Harriette L. Chandler and Kimberly N. Ferguson for legislation to establish a sick leave bank for George Monfreda, an employee of the Worcester Recovery Center and Hospital, came from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

George
Monfreda,—
sick leave.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2942) was referred, in concurrence, to the committee on Public Service.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 2, reported, in part, a Bill making appropriations for the fiscal year 2021 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 (House, No. 5150) [Total appropriation: \$46,000,601,736.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

General
Appropriation
Bill.

Mr. Petrolati of Ludlow, 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.

Pending the question on ordering the bill to a third reading, further consideration thereof was postponed, on further motion of the same member, until Tuesday next and specially assigned to the hour of ten o'clock A.M.

By Ms. Ferrante of Gloucester, for the committee on Economic Development and Emerging Technologies, on House, Nos. 368, 375, 376, 386 and 387, an Order relative to authorizing the committee on Economic Development and Emerging Technologies to make an investigation and study of certain House documents concerning economic development and gaming (House, No. 5107).

Economic
development
and gaming,—
study.

By Mr. Honan of Boston, for the committee on Housing, on House, Nos. 1252, 1258, 1267, 1301, 1309 and 3925, an Order relative to authorizing the committee on Housing to make an investigation and study of certain House documents concerning condominiums, landlords, tenants and miscellaneous matters (House, No. 5108) [Representative DeCoste of Norwell dissenting].

Condominiums,
landlords,
etc.,—
study.

By Miss Gregoire of Marlborough, for the committee on State Administration and Regulatory Oversight, on House, No. 3572, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document concerning promoting equality and respect in the legislature (House, No. 5104) [Senator Rausch and Representative Robinson of Framingham dissenting].

Equality
and respect in
legislature,—
study.

By the same member, for the same committee, on House, No. 3665, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document concerning establishing an Indigenous People's Day (House, No. 5105) [Representative Gentile of Sudbury dissenting].

Indigenous
People's Day,—
study.

By the same member, for the same committee, on House, Nos. 2718, 2770 and 3582, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of certain House documents concerning building and land (House, No. 5106).

Building
and land,—
study.

By Mr. McMurtry of Dedham, for the committee on Tourism, Arts and Cultural Development, on House, No. 2938, an Order relative to authorizing the committee on Tourism, Arts and Cultural Development to make an investigation and study of a

Cultural
council
grants,—
study.

certain House document concerning the cultural council grant provision requirements (House, No. 5110).

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Subsequently, Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules. Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill amending Chapter 306 of the Acts of 2018 (House, No. 5047) [Local Approval Received].

Marlborough,—
liquor license.

By Mr. Parisella of Beverly, for the committee on Public Service, on House, No. 5095, a Bill establishing a sick leave bank for Emily Texeira, an employee of the Bristol County Sheriff's Department (House, No. 5112).

Emily
Texeira,—
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 Joseph Gatto, an employee of the Suffolk County Sheriff's Department (see House, No. 4999), 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.

Joseph
Gatto,—
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 3 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, there being no objection, 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.

There being no objection,— Engrossed bills

Classifying the Taunton Fire Department mechanic Michael Perry, in connection with the determination of retirement benefits (see Senate, No. 2624, amended) (which originated in the Senate); and

Bills
enacted.

Designating a certain bridge in the city of Woburn as the Vietnam Veterans memorial bridge (see House, No. 4206) (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.

Recess.

At nine minutes after eleven o'clock A.M., the Chair (Mrs. Haddad of Somerset) declared a recess subject to the call of the Chair; and at ten minutes before one o'clock P.M. the House was called to order with Mrs. Haddad in the Chair.

Recess.

Quorum.

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 157 members were recorded as being in attendance.

[See Yea and Nay No. 268 in Supplement.]

Therefore a quorum was present.

Quorum,—
yea and nay
No. 268.

Engrossed Bills – Land Takings.

The engrossed Bill authorizing the University of Massachusetts to convey a certain parcel of land and buildings to the city of Waltham (see House, No. 4927, amended) (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

After remarks 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.

[See Yea and Nay No. 269 in Supplement.]

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

Waltham,—
land.

Bill enacted
(land taking),—
yea and nay
No. 269.

The engrossed Bill authorizing the town of Littleton to use certain land for construction of a water treatment facility without Article 97 restrictions on such use (see House, No. 4866, amended) (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 157 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.

Littleton,—
land.

Bill enacted
(land taking),—
yea and nay
No. 270.

Orders of the Day.

The House Bill making appropriations for fiscal year 2020 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 5102), reported by the committee on Bills in the Reading to be correctly drawn, was read a third time.

After remarks on the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it adding the following section:

“SECTION 46. Item 1599-0026 of section 2 of chapter 41 of the acts of 2019, as most recently amended by section 24 of chapter 124 of the acts of 2020, is hereby further amended by inserting after the word ‘Medfield’ the following words:— and such funds shall be made available until June 30, 2021.”.

The amendment was adopted.

Supplemental
budget.

After remarks on the question on passing the bill, as amended, to be engrossed, Representatives Kane of Shrewsbury, Dykema of Holliston and Gregoire of Marlborough moved to amend it by adding the following section:

“SECTION 47. Item 7008-1116 of section 2 of chapter 41 of the Acts of 2019, as amended by section 67 of said chapter 142 of the Acts of 2019, is hereby further amended by inserting after the word ‘memorial’, the sixth time it appears, the following words:— and provided further, such funds shall be made available until June 30, 2021;

Said item in said section, as amended, is hereby further amended by inserting after the word ‘trail’, the third time it appears, the following words:— and such funds shall be made available until June 30, 2021.”

The amendment was adopted.

Mrs. Ferguson of Holden then moved to amend the bill by inserting after section 17 the following section:

“SECTION 17A. Section 76 of chapter 154 of the acts of 2018, as most recently amended by section 36 of chapter 142 of the acts of 2019, is hereby amended by striking out the words ‘April 1, 2020’ and inserting in place thereof the following words: December 31, 2020.”

The amendment was adopted.

On the question on passing the bill, as amended, to be engrossed, the sense of the House was taken by yeas and nays at the request of Mr. Michlewitz of Boston; and on the roll call 157 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 271 in Supplement.]

Therefore the bill (House, No. 5102, amended) was passed to be engrossed. Sent to the Senate for concurrence.

Bill passed to be engrossed,— yeas and nays No. 271.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet tomorrow at half past one o’clock P.M.

Next sitting.

Speaker DeLeo of Winthrop and Ms. Vincent of Revere then moved that when the House adjourns today, it do so in respect to the memory of Joseph J. C. DiCarlo, a member of the House from Revere from 1965 to 1968, inclusive; and a member of the State Senate from 1969 to 1977; and the motion prevailed.

Accordingly, at twenty-five minutes after four o’clock P.M., on motion of Mr. Jones of North Reading (Mrs. Haddad of Somerset being in the Chair), the House adjourned, to meet the following day at half past one o’clock P.M., in an Informal Session.