
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, DECEMBER 14, 2020.

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Met according to adjournment at eleven o'clock A.M., in an Informal Session, 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.

Message from the Governor — Disapprovals and Recommendations of Amendments in General Appropriation Bill.

A message from His Excellency the Governor returning with his disapproval and reductions in certain items, and also with recommendation of amendment of certain sections contained in the engrossed 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 [see House, No. 5164] (for message see House, No. 5190), filed in the office of the Clerk on Friday, December 11, was read.

General
Appropriation
Bill,—
disapprovals and
amendments.

So much of the message as relates to the disapprovals and reductions referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the sections returned with recommendations of amendments, were referred, as follows:

Sections 23 and 43 — Printed as House, No. 5178;
Section 40 — Printed as House, No. 5179;
Sections 69 and 116 — Printed as House, No. 5180;
Sections 79, 80, 88 and 103 — Printed as House, No. 5181;
Section 90 — Printed as House, No. 5182;
Section 93 — Printed as House No. 5183;
Section 99 — Printed as House, No. 5184;
Section 101 — Printed as House, No. 5185;
Section 107 — Printed as House, No. 5186;
Section 104 — Printed as House, No. 5187;
Sections 108 — Printed as House, No. 5188; and
Section 110 — Printed as House, No. 5189.

Severally, on motion of Mr. Speliotis of Danvers, to the committee on Bills in the Third Reading.

Message from the Governor.

A message from His Excellency the Governor recommending legislation relative to making appropriations for Fiscal Year 2021 to provide for supplementing certain

Supplemental
appropriations.

existing appropriations and for certain other activities and projects (House, No. 5177), was filed in the office of the Clerk on Friday, December 11.

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.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Lewis of Framingham, a petition (accompanied by bill, House, No. 5192) of Jack Patrick Lewis (by vote of the town) that the town of Ashland be authorized to change the name of the board of selectmen in said town to the select board; and

Ashland,—
select board.

By Mr. McGonagle of Everett, a petition (accompanied by bill, House, No. 5193) of Joseph W. McGonagle, Jr. (with the approval of the mayor and city council) for legislation to amend the charter of the city of Everett by giving the mayor a voice and a vote on the Everett School Committee;

Everett,—
mayoral
voting.

Severally to the committee on Municipalities and Regional Government.

By Ms. Robinson of Framingham, a petition (accompanied by bill, House, No. 5195) of Maria Duaine Robinson (with the approval of the mayor and city council) that the city of Framingham be authorized to continue the employment of police officer James Green. To the committee on Public Service.

Framingham,—
James
Green.

Severally sent to the Senate for concurrence.

Mr. Puppolo of Springfield presented a petition (subject to Joint Rule 12) of Angelo J. Puppolo, Jr., relative to waiving the overearnings of Ronald Muns, a retiree of the Springfield retirement board; and the same was referred, under Rule 24, to the committee on Rules.

Springfield,—
Ronald Muns.

Papers from the Senate.

The House Bill to create the Leo M. Birmingham Parkway trust fund (House, No. 4926), came from the Senate passed to be engrossed, in concurrence, with an amendment in lines 33 to 36, inclusive, striking out the paragraph contained in those lines. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Leo M.
Birmingham
Parkway,—
fund.

A Bill providing for the permanent protection and stewardship of the historic Lampson Brook Farm in Belchertown (Senate, No. 2972) (on Senate bill No. 2784), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Belchertown,—
Lampson
Brook Farm.

A Bill establishing a sick leave bank for Glenn Rocco, an employee of the Worcester sheriff's office (Senate, No. 2950) (on Senate, No. 2946), passed to be engrossed by the Senate, was read; and it was referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Glenn
Rocco,—
sick leave.

A petition (accompanied by bill, Senate, No. 2974) of Bruce E. Tarr and Ann-Margaret Ferrante (with approval of the mayor and city council) for legislation relative to certain land in the city of Gloucester to be preserved for municipal park and open space purposes, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Gloucester,—
land.

Reports of Committees.

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 petition of Theodore C. Speliotis, Bruce E. Tarr and Bradley H. Jones, Jr., for legislation to further regulate the conveyance of 11 parcels of state-owned land in the town of Middleton to the Middleton conservation commission. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Middleton,—
land.

By Mr. Petrolati of Ludlow, for the committee on Steering, Policy and Scheduling, that the House Bill authorizing the town of Dunstable to convey certain land to the Evangelical Church of Dunstable (House, No. 5121) [Local Approval Received], be scheduled for consideration by the House.

Dunstable,—
land.

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

Report of the committees on Rules of the two branches, acting concurrently, that the Bill requiring one fair wage (House, No. 5085), ought NOT to pass (under Joint Rule 10).

Fair
wage.

Under suspension of the rules, on motion of Mr. Galvin of Canton, the report was considered forthwith, the question being: “Shall this bill be rejected?”

The House then refused to reject the bill; and, under suspension of the rules, on further motion of the same member, it was read a second time.

Pending the question on ordering the bill to a third reading, it was referred, on motion of Mr. Galvin, to the House committee on Rules.

Report of the committee on State Administration and Regulatory Oversight on Executive Reorganization Plan No. 1 of 2020.

Miss Gregoire of Marlborough, for the committee on State Administration and Regulatory Oversight, on Reorganization Plan No. 1 of 2020 (submitted by the Governor under the provisions of Article LXXXVII of the Amendments to the Constitution) 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 (see Senate, No. 2937) [for majority report see Senate, No. 2976],— reporting, in accordance with a provision of Joint Rule 23A, recommending that said Reorganization Plan No. 1 “ought to be approved”, was read.

Reorganization
Plan No. 1,—
Supplier
Diversity
Office.

Pending the question “Shall this reorganization plan be approved?”, further consideration was postponed, on motion of Miss Gregoire, until the next sitting.

Orders of the Day.

The Senate amendment of the House Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of

Chelsea,—
land.

Chelsea (House, No. 4891, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was considered.

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 in section 1, in line 3, by inserting after the word “land” the words “acquired by the commonwealth for sewer purposes”; and 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.

House bills

Validating actions taken at an annual town meeting in the town of Berlin (printed in House, No. 3935);

Validating a certain election in the town of Boylston (printed in House, No. 3936);

Relative to the board of selectmen in the town of Erving (House, No. 4966); and

Establishing a sick leave bank for Tonita Poston, an employee of the Office of the Commissioner of Probation (House, No. 5168);

Severally 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. Severally sent to the Senate for concurrence.

Third
reading
bills.

The House Bill authorizing the Division of Capital Asset Management and Maintenance to grant a drainage easement, and amending a permanent right of way easement, to the city of Marlborough (House, No. 4899), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by substitution of a bill with the same title (House, No. 5191), which was read.

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

Marlborough,—
land.

Recess.

At eighteen minutes after eleven o'clock A.M., on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House recessed subject to the call of the Chair; and at twenty-seven minutes before two o'clock P.M. the House was called to order with Mr. Donato in the Chair.

Recess.

Emergency Measure.

The engrossed Bill relative to an agricultural deed restriction in the town of Westborough (see House, No. 4983, 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 3 to 0. Sent to the Senate for concurrence.

Westborough,—
land.

Engrossed Bill.

The engrossed Bill authorizing the town of Somerset to grant 4 additional licenses for the sale of wine and malt beverages to be drunk on the premises (see House, No. 4753) (which originated in the House), having been certified by the Clerk to be rightly and truly prepared for final passage, was passed to be enacted; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Order.

On motion of Mr. DeLeo of Winthrop,—

Ordered, That when the House adjourns today, it adjourn to meet on Wednesday next at eleven o'clock A.M.; and that notwithstanding the provisions of House Rule 12, the Clerk be authorized to dispense with the printing of a Calendar for said sitting.

Next
sitting.

At twenty-two minutes before two o'clock P.M., on motion of Mrs. Kane of Shrewsbury (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Wednesday at eleven o'clock A.M.