

**Tuesday, December 29, 2020 (at 1:02 o'clock P.M.).**

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.

*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.

Quorum,—  
yea and nay  
No. 406.

**[See Yea and Nay No. 406 in Supplement.]**

Therefore a quorum was present.

*Remarks of Speaker DeLeo of Winthrop.*

Speaker DeLeo who had, on the previous day, announced his resignation as a member of the House, then made extemporaneous remarks to the members and staff of the House of Representatives.

Remarks of  
Speaker DeLeo  
of Winthrop.

*Paper from the Senate.*

A Bill authorizing the town of Andover to issue pension obligation bonds or notes (Senate, No. 2968, amended in section 1, in lines 16 and 17, by striking out the words “assess taxes for the payment of” and inserting in place thereof the words “exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay”; and by striking out sections 6 and 7 and inserting in place thereof the following section:

Andover,—  
bonds.

“SECTION 6. This act shall take effect upon its passage.”) (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.

*Reports of Committees.*

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill authorizing the town of Holliston to establish an economic development funding program and fund (House, No. 5092) [Local Approval Received], be scheduled for consideration by the House.

Holliston,—  
fund.

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

By Mr. Parisella of Beverly, for the committee on Public Service, on House, No. 5162, a Bill relative to the amendment of M.G.L. c.32, section 4(2)(b) and 4(2)(c), solely as they relate to the calculation of Walter L. Guertin’s pension (House, No. 5219). Read; and referred, under Rule 33, to the committee on Ways and Means.

Walter  
Guertin,—  
pension.

By Mr. Parisella of Beverly, for the committee on Public Service, on a petition, a Bill authorizing the city of Framingham to continue the employment of police officer James Green (House, No. 5195) [Local Approval Received].

Framingham,—  
James Green.

By the same member, for the same committee, on House, No. 5154, a Bill relative to the Ware Fire Department (House, No. 5218) [Local Approval Received].

Ware,—  
fire fighters.

By the same member, for the same committee, on House, No. 5175, a Bill to allow elected officers in the town of Lee to serve on the board of public works (House, No. 5220) [Local Approval Received].

Lee,—  
public works.

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

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

The Senate amendment of the House Bill authorizing the town of Arlington to establish a means tested senior citizen property tax exemption (House, No. 4477), 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 Mr. DeLeo of Winthrop; and it was adopted, in concurrence.

Arlington,—  
tax exemption.

The Senate Bill further authorizing the city of Gloucester to use certain lands for municipal school purposes (Senate, No. 2974) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. DeLeo of Winthrop; and it was passed to be engrossed, in concurrence.

Gloucester,—  
land.

The following Senate bills, severally reported by the committee on Bills in the Third Reading to be correctly drawn, having been discharged from their position in the Orders of the Day, were read a third time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. McMurtry of Dedham:

Providing for a gender-neutral charter in the town of Walpole (Senate, No. 2807); and

Walpole,—  
charter.

Relative to the temporary extension of seasonal alcoholic beverages licenses in the city of Gloucester (Senate, No. 2977) (its title having been changed by the committee on Bills in the Third Reading);

Gloucester,—  
liquor  
licenses.

Severally were passed to be engrossed, in concurrence.

The following House bills, having been reported by the committee on Bills in the Third Reading to be correctly drawn, having been discharged from their position in the Orders of the Day, were read a third time forthwith, under suspension of Rule 47, in each instance, on motion of Mr. McMurtry of Dedham:

Authorizing the town of Stow to take easements and rights of way for the reconstruction of the Box Mill Road Bridge (House, No. 4991);

Stow,—  
easement.

Relative to the board of selectmen of the town of Maynard (House, No. 5010);

Maynard.

Designating a certain bridge in the town of Rehoboth as the 1st Lt. Craig H. Waterman Memorial Bridge (House, No. 5021) (its title having been changed by the committee on Bills in the Third Reading);

Rehoboth,—  
bridge.

Authorizing the commissioner of Capital Asset Management and Maintenance to transfer and convey certain parcels of land in the town of Westborough (House, No. 5094); and

Westborough,—  
land.

Authorizing the city of Melrose to convert certain liquor licenses for the sale of all alcoholic beverages for off premises consumption (House, No. 5171);

Melrose,—  
liquor  
licenses.

Severally were passed to be engrossed. Severally sent to the Senate for concurrence.

The House Bill allowing Giggles and Grins LLC to connect into the Leominster water system (House, No. 4985) (its title having been changed by the committee on Bills in the Third Reading), reported by said committee to be correctly drawn, was discharged from its position in the Orders of the Day, and read a third time forthwith, under suspension of Rule 47, on motion of Mr. DeLeo of Winthrop.

Leominster,—  
water  
supply.

Pending the question on passing the bill to be engrossed, Mr. Speliotis of Danvers moved to amend it by striking all after the enacting clause and inserting in place thereof the following two sections:

“SECTION 1. Notwithstanding any general or special law to the contrary, the city of Leominster may supply and sell water to the property of Giggles and Grins LLC, located at 90 Duval road in the town of Lancaster.

SECTION 2. The act shall take effect upon its passage.”.

The amendment was adopted; and the bill (House, No. 4985, amended) was passed to be engrossed. Sent to the Senate for concurrence.

#### *Engrossed Bill – Land Taking.*

The engrossed Bill authorizing the commissioner of the Division of Capital Asset Management and Maintenance to convey and acquire certain parcels of land in the town of Halifax (see Senate, No. 2627, 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.

Halifax,—  
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. 407.

#### **[See Yea and Nay No. 407 in Supplement.]**

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

#### *Reports of Committees.*

Mr. Michlewitz of Boston, for the committee on Ways and Means, on a message from His Excellency the Governor (for message, see House, No. 5190), returning with his disapproval of parts of certain items 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), 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.

General  
Appropriation  
Bill.

Mr. Petrolati of Ludlow, 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 reports were considered forthwith.

Item 0710-0200 (contained in section 2) (Bureau of Special Investigations), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$1,890,812 to \$1,872,092.

On the question on passing said item, notwithstanding the reduction 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 30 in the negative.

**[See Yea and Nay No. 408 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0710-0200 passed, notwithstanding the reduction 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 0710-0225 (contained in section 2) (Medicaid Audit Unit), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$1,274,449 to \$1,234,674.

On the question on passing said item, notwithstanding the reduction 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 127 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 409 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0710-0225 passed, notwithstanding the reduction 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 0710-0300 (contained in section 2) (Enhanced Bureau of Special Investigation), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$483,320 to \$478,535.

On the question on passing said item, notwithstanding the reduction 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 127 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 410 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0710-0300 passed, notwithstanding the reduction 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 0910-0200 (contained in section 2) (Office of the Inspector General), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$3,522,851 to \$3,332,409.

On the question on passing said item, notwithstanding the reduction 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 127 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 411 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0910-0200 passed, notwithstanding the reduction 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 0910-0220 (contained in section 2) (Bureau of Program Integrity), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$588,084 to \$540,765.

Bureau of  
Special  
Investigations  
item 0710-0200  
stands,—  
yea and nay  
No. 408.

Medicaid  
Audit Unit  
item 0710-0225  
stands,—  
yea and nay  
No. 409.

Enhanced  
Bureau  
of Special  
Investigation  
item 0710-0300  
stands,—  
yea and nay  
No. 410.

Office of the  
Inspector  
General  
item 0910-0200  
stands,—  
yea and nay  
No. 411.

On the question on passing said item, notwithstanding the reduction 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 125 members voted in the affirmative and 30 in the negative.

**[See Yea and Nay No. 412 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0910-0220 passed, notwithstanding the reduction 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 0910-0300 (contained in section 2) (Inspector General MassDOT Office), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$577,604 to \$569,479.

On the question on passing said item, notwithstanding the reduction 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 125 members voted in the affirmative and 30 in the negative.

**[See Yea and Nay No. 413 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0910-0300 passed, notwithstanding the reduction 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 0340-2100 (contained in section 2) (District Attorney’s Association operation and prosecution management information system), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$2,288,168 to \$2,200,161.

On the question on passing said item, notwithstanding the reduction 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 29 in the negative.

**[See Yea and Nay No. 414 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-2100 passed, notwithstanding the reduction 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 0340-0203 (contained in section 2) (District Attorney, drug diversion and education), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$499,950 to \$495,000.

On the question on passing said item, notwithstanding the reduction 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 22 in the negative.

**[See Yea and Nay No. 415 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-0203 passed, notwithstanding the reduction 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 0340-0200 (contained in section 2) (Middlesex (Northern) District Attorney’s Office), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$20,357,990 to \$19,930,382.

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

Bureau of  
Program  
Integrity  
item 0910-0220  
stands,—  
yea and nay  
No. 412.

Inspector  
General  
MassDOT  
Office  
item 0910-0300  
stands,—  
yea and nay  
No. 413.

District  
Attorney’s  
Association  
management  
information  
system  
item 0340-2100  
stands,—  
yea and nay  
No. 414.

District  
Attorney, drug  
diversion  
and education  
item 0340-0203  
stands,—  
yea and nay  
No. 415.

Middlesex  
(Northern)

I, Section I, Article II of the Constitution; and on the roll call 128 members voted in the affirmative and 28 in the negative.

**[See Yea and Nay No. 416 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-0200 passed, notwithstanding the reduction 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 0340-1100 (contained in section 2) (Berkshire District Attorney’s Office), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$5,043,524 to \$4,796,949.

On the question on passing said item, notwithstanding the reduction 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 127 members voted in the affirmative and 29 in the negative.

**[See Yea and Nay No. 417 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-1100 passed, notwithstanding the reduction 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 0340-0400 (contained in section 2) (Worcester (Middle) District Attorney’s Office), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$13,295,586 to \$12,991,570.

On the question on passing said item, notwithstanding the reduction 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 20 in the negative.

**[See Yea and Nay No. 418 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-0400 passed, notwithstanding the reduction 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 0340-0600 (contained in section 2) (Northwestern District Attorney’s Office), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$,8477,424 to \$8,210,419.

On the question on passing said item, notwithstanding the reduction 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 129 members voted in the affirmative and 27 in the negative.

**[See Yea and Nay No. 419 in Supplement.]**

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]

Therefore item 0340-0600 passed, notwithstanding the reduction 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 0340-1000 (contained in section 2) (Cape and Islands District Attorney), which had been reduced by the Governor, then was considered.

The Governor had reduced said item from \$5,374,615 to \$5,204,219.

On the question on passing said item, notwithstanding the reduction 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 23 in the negative.

**[See Yea and Nay No. 420 in Supplement.]**

District  
Attorney’s  
Office  
item 0340-0200  
stands,—  
yea and nay  
No. 416.

Berkshire  
District  
Attorney’s  
Office  
item 0340-1100  
stands,—  
yea and nay  
No. 417.

Worcester  
(Middle)  
District  
Attorney’s  
Office  
item 0340-0400  
stands,—  
yea and nay  
No. 418.

Northwestern  
District  
Attorney’s  
Office  
item 0340-0600  
stands,—  
yea and nay  
No. 419.

Cape and  
Islands District  
Attorney  
item 0340-1000  
stands,—  
yea and nay

[Mr. DeLeo of Winthrop answered “Present” in response to his name.]  
Therefore item 0340-1000 passed, notwithstanding the reduction 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.

No. 420.

*Engrossed Bills.*

The engrossed Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land in the city of Chelsea (see House, No. 4891, 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.

Bill  
enacted.

Engrossed bills

Providing for a gender-neutral charter in the town of Walpole (see Senate, No. 2807);

Bills  
enacted.

Relative to the temporary extension of seasonal alcoholic beverages licenses in the city of Gloucester (see Senate, No. 2977);

(Which severally originated in the Senate);

Authorizing the Salem scholarship and education committee to provide scholarships from funds set aside for educational purposes (see House, No. 4041);

Changing the name of the board of selectmen of the town of Ashfield to select board (see House, No. 4948); and

Authorizing the town of Ware to exempt Christopher Scott Romani from the maximum age requirement for applying for civil service appointment as a police officer (see House, No. 5170);

(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.

*Order.*

On motion of Mr. DeLeo of Winthrop,—

*Ordered,* That when the House adjourns today, it adjourn to meet tomorrow at half past twelve o’clock noon; 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.

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At half past four o’clock P.M. (Tuesday, December 29), on motion of Mr. Frost of Auburn (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following day at half past twelve o’clock noon.