
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, MARCH 9, 2022.

[26]*

JOURNAL OF THE HOUSE.

Wednesday, March 9, 2022.

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, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tribute.

During the session, the Speaker took the Chair, declared a brief recess and, at the request of Representative Haggerty of Woburn, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Massachusetts State Trooper Tamar Anoush Bucci. Trooper Bucci who gave her life in the line of duty on March 4, 2022 at the young age of 34 while helping a disabled vehicle on I-93 in Stoneham.

State Trooper
Tamar Anoush
Bucci.

Tamar would light up a room wherever she went with her sheer energy. She was strong minded and would march to the beat of her own drum. She lived her life unapologetically with an unwavering commitment to her beliefs and values. Tamar aspired to be a State Trooper from a young age, and her family knew nothing was going to stop her from joining the Massachusetts State Police.

On May 6, 2020 at Gillette Stadium, Tamar graduated as a member of the 85th RTT. She began her career at Leominster Barracks, transferred to Brookfield Barracks, and most recently Medford Barracks.

Tamar Bucci was the 22nd trooper to fall in the line of duty in Massachusetts history. She lived her passion and completed her watch honorably, serving as an inspiration to others to do the same.

Trooper Bucci leaves behind her mother and stepfather, Maral and Jim Burditt; her father Anthony Bucci; her sister and brother-in-law, Talena and Andrew Lange; her sister, brother-in-law, nephew and niece, Karissa, Brian, Landon and Lenna Holmes; half-brother Dante Bucci and step-siblings Laney and Troy Burditt; grandmothers Rosemarie Keefe and Aroussiak Dakessian; aunt and uncle Mary and Dave Geaslen; aunt and uncle Susan and Toros Vosbigian; aunt Silva Dakessian, along with many other loving family members, friends, and the thousands of men and women of the Massachusetts State Police she called her brothers and sisters.

Orders.

Mr. Donato of Medford being in the Chair,— The following order (filed by Ms. Domb of Amherst) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Environment, Natural Resources and Agriculture be granted until Thursday,

Environment,
Natural
Resources and

March 31, 2022, within which time to make its final report on current Senate document numbered 2667.

Agriculture committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4530) ought to be adopted. Under suspension of the rules, on motion of the same member, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Gordon of Bedford) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, May 27, 2022, within which time to make its final report on current House document numbered 3967.

Public Service committee,— extension of time for reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4531) ought to be adopted. Under suspension of the rules, on motion of the same member, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

The following order (filed by Mr. Gordon of Bedford) was referred, under Joint Rule 30, to the committees on Rules of the two branches, acting concurrently:

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Public Service be granted until Friday, May 13, 2022, within which time to make its final report on current Senate document numbered 2653.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 4533) ought to be adopted. Under suspension of the rules, on motion of the same member, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Resolutions.

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

Resolutions (filed by Mr. Orrall of Lakeville) congratulating the Berkley Fire-Rescue Department on its seventy-five years of service to the citizens of Berkely;

Berkley Fire-Rescue.

Resolutions (filed by Mr. Ryan of Boston and other members of the House) commemorating the celebration of the feast of St. Patrick's Day;

St. Patrick's Day.

Resolutions (filed by Mr. Soter of Bellingham) congratulating and recognizing Nathan and Erin Moreland of Asphalt Engineering for receiving the 2022 Butch Moore "You Touched My Life" Award;

Nathan and Erin Moreland.

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 the same member, the resolutions (reported by the committee on Bills in the Third Reading to be correctly drawn) were considered forthwith; and they were adopted.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Linsky of Natick, a petition (accompanied by bill, House, No. 4575) of David Paul Linsky and Rebecca L. Rausch (by vote of the town) that the town of Natick be authorized to hold hybrid town meetings at which participants attend both

Natick,— hybrid town meetings.

in person and remotely. To the committee on Election Laws.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4576) of David T. Vieira, Steven G. Xiarhos and Susan L. Moran (by vote of the town) that the town of Bourne be authorized to amend certain provisions of the charter of said town. To the committee on Municipalities and Regional Government.

Bourne,—
town
charter.

By Mr. Vieira of Falmouth, a petition (accompanied by bill, House, No. 4577) of David T. Vieira, Susan L. Moran and Dylan A. Fernandes (by vote of the town) that the town of Falmouth be authorized to exempt officers in all positions of the Falmouth Police Department from the civil service law. To the committee on Public Service.

Falmouth,—
civil service
law.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Finn of West Springfield, a petition (subject to Joint Rule 12) of Michael J. Finn and others relative to qualified data centers.

Qualified data
centers.

By Mr. Lewis of Framingham, a petition (subject to Joint Rule 12) of Jack Patrick Lewis (with the approval of the mayor and city council) for legislation to authorize the creation of a right-turn lane from Edgell Road to Central Street in the city of Framingham by using certain land subject to Article 97 of the Constitution.

Framingham,—
land.

Severally, under Rule 24, to the committee on Rules.

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 following petitions:

Petition (accompanied by bill) of Daniel J. Hunt for legislation to further regulate the duties of the Clerk and Assistant Clerk of the Supreme Judicial Court for Suffolk County. To the committee on the Judiciary.

Suffolk
County,—
clerks.

Joint petition (accompanied by bill) of Kimberly N. Ferguson and Anne M. Gobi for legislation to establish a sick leave bank for Anastasios Milonopoulos, an employee of the Department of Correction. To the committee on Public Service.

Anastasios
Milonopoulos,—
sick leave.

Petition (accompanied by bill) of Christine P. Barber, Mike Connolly and Erika Uyterhoeven (with the approval of the mayor and the city council) that the city of Somerville be authorized to employ automated enforcement of speed limit violations in designated safety zones within said city. To the committee on Transportation.

Somerville,—
speed limits.

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

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

The Senate Bill exempting Marcel Cuffy and John R. Baker from the maximum age requirements for firefighters in the town of North Andover (Senate, No. 2498) [Local Approval Received]; and

North
Andover,—
firefighters.

House bills

Relative to caregiver authorization affidavits (House, No. 1846);

Caregivers.

Designating a certain bridge in the town of Duxbury as the George W. W. Scott bridge (House, No. 4334); and

Duxbury,—
bridge.

Designating a certain intersection in the town of Duxbury as the Charlotte Bradford Memorial Square (House, No. 4335);	Duxbury,— intersection.
Under suspension of Rule 7A, in each instance, on motion of Mr. Galvin of Canton, the bills severally were read a second time forthwith; and they were ordered to a third reading.	
By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill to establish standards for medical gas piping systems (House, No. 419).	Medical gas piping systems.
By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on a joint petition, a Bill relative to the small necessities leave act (House, No. 1947).	Family and medical leave.
By Ms. Decker of Cambridge, for the committee on Public Health, on a petition, a Bill relative to patient access to information regarding breast reconstructive surgery (House, No. 2290).	Breast reconstructive surgery.
By the same member, for the same committee, on Senate, No. 1375 and House, No. 2319, a Bill relative to the sustainability of public health dental hygienists through adequate reimbursements (House, No. 2319).	Dental hygienists.
By the same member, for the same committee, on Senate, No. 1474 and House, Nos. 2312 and 2371, a Bill relative to conducting fetal and infant mortality review (House, No. 2371).	Fetal and infant deaths.
By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on a petition, a Bill to enhance 911 operations for behavioral health crisis response (House, No. 2461).	911,— behavioral health.
By the same member, for the same committee, on a petition, a Bill to ensure compliance with the anti-shackling law for pregnant incarcerated women (House, No. 2481).	Anti-shackling law.
By the same member, for the same committee, on a petition, a Bill to promote rehabilitation including guaranteed health, treatment, and safety for incarcerated LGBTQI+ people (House, No. 2484).	Incarceration,— LGBTQI+ individuals.
By the same member, for the same committee, on House, No. 2465, a Bill requiring health care employers to develop and implement programs to prevent workplace violence (House, No. 4574).	Workplace violence prevention.
By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill establishing an emergency responder yellow dot program (House, No. 3537).	Yellow dot program.
By Mr. McMurtry of Dedham, for the committee on Veterans and Federal Affairs, on a petition, a Bill relative to the training of higher education counselors in PTSD (House, No. 3635).	College counselors,— PTSD.
By the same member, for the same committee, on a petition, a Bill relative to emergency medical transportation provided to veterans (House, No. 3696).	Veterans,— transportation.
Referred, under Joint Rule 1E, to the committee on Health Care Financing.	
By Mr. Coppinger of Boston, for the committee on Community Development and Small Businesses, on a petition, a Bill to address inequality, promote opportunity and end poverty (House, No. 294).	Poverty, — commission.
By Mr. Parisella of Beverly, for the committee on Economic Development and Emerging Technologies, on a petition, a Bill relative to the rural policy advisory commission (House, No. 503).	Rural policy,— commission.
By Ms. Peisch of Wellesley, for the committee on Education, on a petition, a Bill relative to technology-enabled teaching and learning (House, No. 680).	Teaching, — technology.

<p>By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill relative to the feasibility of mobile voting for active-duty service members, voters with disabilities and municipalities (House, No. 842) [Senator Fattman dissenting.]</p>	<p>Mobile voting,— commission.</p>
<p>By Ms. Domb of Amherst, for the committee on Environment, Natural Resources and Agriculture, on a petition, a Bill relative to lithium-ion batteries (House, No. 946).</p>	<p>Lithium-ion batteries.</p>
<p>By the same member, for the same committee, on House, Nos. 1013 and 1014, a Bill relative to the conservation of Atlantic striped bass (House, No. 1014).</p>	<p>Atlantic striped bass.</p>
<p>By Mr. Cutler of Pembroke, for the committee on Labor and Workforce Development, on a petition, a Bill to study a revenue neutral guaranteed jobs [sic] program (House, No. 2029).</p>	<p>Jobs’ programs,— study.</p>
<p>By Mr. González of Springfield, for the committee on Public Safety and Homeland Security, on a petition, a Resolve establishing an enhanced public school safety commission (House, No. 2413).</p>	<p>Public school safety,— commission.</p>
<p>By the same member, for the same committee, on a petition, a Resolve to establish a special commission on employing mental health professionals as law enforcement personnel (House, No. 2445).</p>	<p>Law enforcement,— mental health.</p>
<p>By the same member, for the same committee, on a petition, a Bill establishing a commission to study post-traumatic stress disorder in law enforcement officers (House, No. 2456).</p>	<p>Law enforcement,— PTSD.</p>
<p>By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 21 and on a part of House, No. 18, a Bill establishing a special commission on retirement credit purchases (House, No. 21).</p>	<p>Retirement credit.</p>
<p>By Mr. Straus of Mattapoissett, for the committee on Transportation, on a petition, a Bill relative to greener and healthier transportation corridors (House, No. 3556).</p>	<p>Transportation corridors.</p>
<p>Severally read; and referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill modernizing protections for consumers in automobile transactions (House, No. 377).</p>	<p>Automobile transactions.</p>
<p>By the same member, for the same committee, on a petition, a Bill waiving the fee for an annual caterer’s license due to the COVID-19 emergency (House, No. 386).</p>	<p>Caterers’ licenses.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to the Board of Registration of Cosmetology and Barbering exams (House, No. 405).</p>	<p>Cosmetology and barbering exams.</p>
<p>Severally read and referred, under Rule 33, to the committee on Ways and Means.</p>	
<p>By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on House, Nos. 358 and 456, a Bill promoting fairness in the rendering of dwelling accommodation services (House, No. 358).</p>	<p>Housing,— realtors.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to sales at retail (House, No. 376).</p>	<p>Retail sales.</p>
<p>By the same member, for the same committee, on a petition, a Bill relative to license suspensions (House, No. 392).</p>	<p>Liquor license suspensions.</p>
<p>By the same member, for the same committee, on House, Nos. 412 and 425, a Bill to keep college graduates working (House, No. 425).</p>	<p>Student loans.</p>
<p>By Mr. Gordon of Bedford, for the committee on Public Service, on a petition,</p>	<p>Maryann</p>

a Bill establishing a sick leave bank for Maryann Donie, an employee of the Executive Office of Technology Services and Security (House, No. 4521).

Donie,—
sick leave.

By the same member, for the same committee, on a petition, a Bill establishing a sick leave bank for Maria A. Conti, an employee of the department of transportation (House, No. 4523).

Maria
Conti,—
sick leave.

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

Engrossed Bill.

The engrossed Bill creating select board-town manager form of government in the town of Wayland (see House, No. 4315) (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.

Recess.

At thirteen minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twenty-five minutes after one o'clock P.M., the House was called to order with Ms. Hogan of Stow 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 156 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 152.

[See Yea and Nay No. 152 in Supplement.]

Therefore a quorum was present.

Reports of Committees.

Prior to the noon recess,— Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 4479, reported, in part, a Bill making appropriations for fiscal year 2022 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 4532) [Total Appropriation: \$1,631,618,522.00]. 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 Mr. Michlewitz of Boston, 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 motion of the same member, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

After remarks on the question on passing the bill to be engrossed, Mr. Pease of Westfield moved to amend it in section 2E by adding the following item:

“1595-6386 For an operating transfer to the Massachusetts Transportation

Trust Fund, established in section 4 of chapter 6C of the General Laws, for grants to municipalities for the construction, reconstruction, maintenance or improvement of municipal ways.....\$100,000,000
Commonwealth Transportation Fund.....100%”.

After debate on the question on adoption of the amendment, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 28 members voted in the affirmative and 128 in the negative.

Amendment
rejected,—
yea and nay
No. 153.

[See Yea and Nay No. 153 in Supplement.]

Therefore the amendment was rejected.

Mr. Durant of Spencer then moved to amend the bill by adding the following section:

“SECTION 53. Section 12 of chapter 64A of the General Laws, as appearing in the 2010 Official Edition, is hereby amended by adding the following paragraph:

Any sale of fuel for automotive use, including but not limited to unleaded gasoline and diesel fuel, by a distributor to any public or private entity, or private person in the commonwealth shall be exempt from the tax per gallon contained in this chapter until such time as the average price of a gallon of unleaded gasoline, as calculated in the Commonwealth of Massachusetts by the U.S. Energy Information Administration, is less than three dollars and seventy cents.”.

After debate the amendment was rejected.

Mr. Michlewitz of Boston and other members of the House then moved to the bill in section 2 by adding the following item:

“EXECUTIVE OFFICE OF PUBLIC SAFETY AND SECURITY
Department of Fire Services

8324-0050.....\$1,750,000”;

In section 2A, in item 1599-0793, in line 74, by striking out the words “the vaccination” and inserting in place thereof the following: “COVID-19 related response”;

In section 2E by adding the following item:

“EXECUTIVE OFFICE OF HOUSING AND ECONOMIC DEVELOPMENT
Department of Housing and Community Development

7004-1001 For the federal Low Income Home Energy Assistance Program under 42 U.S.C. 8621 et seq., to assist eligible low-income elders, working families and other households with assistance paying a portion of winter heating bills; provided, that the department shall establish the maximum assistance for which a household shall be eligible; and provided further, that any unexpended funds in this item shall revert on June 30, 2022 ... \$5,000,000”;

In section 6, in line 142, by inserting after the word “government” the words “and allocated to the Massachusetts rehabilitation commission”, and in line 160 by inserting after the word “government” the words “and allocated to the Massachusetts commission for the blind”;

By inserting after section 23 the following section:

“SECTION 23A. Section 5 of chapter 345 of the acts of 2020 is hereby amended by striking out the words ‘December 31, 2021’ and inserting in place thereof the following words:- December 31, 2022.”;

By inserting after section 29 the following section:

“SECTION 29A. Said item 4003-0122 of said section 2 of said chapter 24, as so amended, is hereby further amended by adding the following words:- ; and provided further, that any unexpended funds in this item shall not revert but shall be

made available for the purpose of this item until June 30, 2023.”;

In section 32, in line 339, by striking out the following: “said chapter 147” and inserting in place thereof the following: “chapter 147 of the acts of 1996”; and

By inserting after section 44 the following section:

“SECTION 44A. Notwithstanding section 33 of chapter 22 of the acts of 2022, the special legislative commission established in section 106 of chapter 227 of the acts of 2020, as amended by section 93 of chapter 24 of the acts of 2021, is hereby revived and continued to April 15, 2022. The special legislative commission shall file its report pursuant to said section 106 of said chapter 227 with the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on education and the joint committee on economic development and emerging technologies not later than April 15, 2022.”.

On the question on adoption of the consolidated 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 (the Speaker having taken the Chair) 156 members voted in the affirmative and 0 in the negative.

[See Yeas and Nays No. 154 in Supplement.]

Therefore the consolidated amendments were adopted.

Ms. Hogan of Stow being in the Chair,—

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

[See Yeas and Nays No. 155 in Supplement.]

Therefore the bill (House, No. 4578, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

Consolidated amendments adopted,— yeas and nays No. 154.

Bill passed to be engrossed,— yeas and nays No. 155.

Motion to Discharge a Certain Matter in the Orders of the Day.

The House Bill relative to polling places in the city known as the town of Braintree (House, No. 4353), 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 read a third time forthwith, under suspension of Rule 47, on motion of Mr. Cusack of Braintree. The bill then was passed to be engrossed. Sent to the Senate for concurrence.

Braintree,— polling places.

Order.

On motion of Mr. Mariano of Quincy,—

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

Next sitting.

Mr. Jones of North Reading then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at twenty-eight minutes before four P.M. (Ms. Hogan of Stow being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M., in an Informal Session.