The Commonwealth of Massachusetts

# JOURNAL OF THE HOUSE.



## THURSDAY, MAY 27, 2021.

[48]

### JOURNAL OF THE HOUSE.

Thursday, May 27, 2021.

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.

#### Silent Prayer.

At the request of Representatives Santiago of Boston and Giannino of Revere the members and employees stood in a moment of silent tribute to the memory of Edward James Faneuil, born July 2, 1952, loved and cherished by so many family members, friends and colleagues, who passed away suddenly of cardiac arrest on Monday, May 17, 2021. Eddie was 68. He was filled with so much life and love that he gave in abundance to all those that knew him. He truly was a legend in so many ways to so many people from all different walks of life.

Eddie was raised in Brookline and attended the Browne and Nichols School as a young boy through high school. He went on to graduate from Trinity College in 1974, and then pursued a passion for law at Suffolk Law School, from which he graduated in 1977. His early career in law began with his great friend and mentor, Richie Egbert. From 1981 to 1991, he was a partner at Samek & Faneuil, a Boston-based general practice law firm with an emphasis on mergers and acquisitions and real estate transactions. In 1991 he joined the Global family of companies where he oversaw the company's legal and regulatory departments. In addition, he managed the legal aspects of Global Partners' successful 2005 initial public offering on the New York Stock Exchange. For thirty years, he gave his all to Global, the hardest working man many have ever known.

Eddie was larger than life, a role model of role models. Though small in stature, his presence was huge. Fiercely loyal, kind and caring, he had a smile and energy that lit up every room he walked into, no matter the time or place. His true passion was people. He loved his family and his friends with such devotion and was filled with unlimited generosity for all. His grandchildren brought him so much joy, and they brought about from him his most tender, child-like side that many never knew. Eddie leaves behind his wife of 45 years, Helene, his sons Ari and Jesse, his daughter-in-law, Andrea, his two cherished grandchildren, Owen and Ella, his brother Robert and sister Nancy, numerous nieces and nephews, and a large group of friends and colleagues that love him and will miss him dearly.

Message from the Governor — Disapproval in Bond Authorization Bill. Pledge of allegiance.

Edward Faneuil. A message from His Excellency the Governor returning with his disapproval of section 5 of the engrossed Bill financing the reconstruction of the Soldiers' Home in Holyoke [see House, No. 3770] (for message, see House, No. 3814) was filed in the office of the Clerk on Tuesday, May 25.

The message was referred, under Rule 30, to the committee on Ways and Means.

#### Message from the Governor.

A message from His Excellency the Governor (under the provisions of Section 3 of Article LXII of the Amendments to the Constitution) recommending legislation relative to providing for the terms of certain bonds to be issued by the Commonwealth (House, No. 3815), was filed in the office of the Clerk on Tuesday, May 25.

The message was read; and it was referred, under Joint Rule 1F, to the committee on Bonding, Capital Expenditures and State Assets. 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 Ms. Ehrlich of Marblehead and other members of the House) commending the National Brain Tumor Society, Inc. for its recognition of May 2021 as Brain Tumor Awareness Month; and

Resolutions (filed by Mr. Lawn of Watertown) recognizing the month of May 2021 as "Cystic Fibrosis Awareness Month";

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

#### Communications.

Communications

From the Massachusetts Gaming Commission (see Section 60(b) of Chapter 23K of the General Laws) submitting its recommendations on the distribution of the Race Horse Development Fund between thoroughbred and standardbred racing facilities to support the thoroughbred and standardbred industries;

From the Executive Office of Public Safety and Security (see Section 2 of Chapter 170 of the Acts of 2004) submitting its fiscal year 2019 annual report on Electronic Control Weapons in Massachusetts;

From the Rose Fitzgerald Kennedy Greenway Conservancy, Inc. (see Section 7 of Chapter 306 of the Acts of 2008) submitting audited financial statements of said conservancy for December 31, 2019 and December 31, 2020, entitled "The Green Way";

From the Restaurant Promotion Commission (see Chapter 49 of the Acts of 2019) submitting a report relative to the Massachusetts Restaurant Industry;

Holyoke Soldiers' Home section 5.

Holyoke Soldiers' Home, bond terms.

Brain Tumor Awareness Month.

Cystic Fibrosis Awareness Month

Race Horse Development Fund.

Electronic control weapons.

Rose Kennedy Green Way.

Restaurant industries.

From the Restaurant Promotion Commission (see Chapter 49 of the Acts of 2019) submitting a report relative to the Impacts of Covid-19 and Strategies for Recovery;

From the Massachusetts District Attorneys Association (see item 0340-2100 of Section 2 of Chapter 227 of the Acts of 2020) detailing by district the amount of case referrals by the Disabled Persons Protection Commission for the fiscal year 2020;

From the Executive Office of Health and Human Services (see item 4120-0200 of Chapter 227 of the Acts of 2020) submitting the federal fiscal year 2020 Activities Report of Independent Living Centers;

From the Department of Elementary and Secondary Education (see item 7061-0027 of Chapter 227 of the Acts of 2020) submitting a preliminary update on the Coronavirus Prevention Fund Program;

From the Department of Elementary and Secondary Education (see item 7061-9408 of Chapter 227 of the Acts of 2020) submitting a report titled: "Report to the Legislature: Intervention and Targeted Assistance (2019-2020)"; and

From the Department of Elementary and Secondary Education (see item 7061-9611 of Chapter 227 of the Acts of 2020) submitting a report titled: "Report to the Legislature on After-School and Out-of-School Time Grants: FY 2021";

Severally were placed on file.

#### Petitions.

Petitions severally were presented and referred as follows:

By Representative McKenna of Webster and Senator Fattman, a joint petition (accompanied by bill, House, No. 3822) of Joseph D. McKenna (by vote of the town) that the town of Webster be authorized to issue two additional licenses for the sale of all alcoholic beverages to be drunk on the premises and two additional licenses for the sale of wine and malt beverages to be drunk on the premises in said town. To the committee on Consumer Protection and Professional Licensure.

By Representative Kelcourse of Amesbury and Senator DiZoglio, a joint petition (accompanied by bill, House, No. 3823) of James M. Kelcourse and Diana DiZoglio (with the approval of the mayor and city council) that the city of Amesbury be authorized to amend the charter of said city;

By the same members, a joint petition (accompanied by bill, House, No. 3824) of James M. Kelcourse and Diana DiZoglio (with the approval of the mayor and city council) that the city of Amesbury be authorized to increase the term of mayor to four years; and

By the same members, a joint petition (accompanied by bill, House, No. 3825) of James M. Kelcourse and Diana DiZoglio (with the approval of the mayor and city council) relative to the position of school committee chair in the city of Amesbury.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

The following petitions, having been returned by the State Secretary, under the provisions of Chapter 3 of the General Laws with memorandum relative thereto) were referred as follows:

Petition (accompanied by bill, House, No. 3816) of Claire D. Cronin and Dylan A. Fernandes relative to children's advocacy centers and the creation of a children's alliance. To the committee on Children, Families and Persons with Disabilities.

Restaurants,— COVID-19 recovery.

Disabled, protection commission.

Independent Living Centers.

Coronavirus Prevention Fund Program.

Education, targeted intervention.

After-School and Out-of-School Time Grants.

Webster, liquor licenses.

Amesbury, charter.

Amesbury, mayor.

Amesbury, school committee.

Children's advocacy centers.

Petition (accompanied by bill, House, No. 3817) of Daniel Cahill relative to the Massachusetts Credit Union Share Insurance Corporation;

Petition (accompanied by bill, House, No. 3818) of Richard M. Haggerty for legislation to modernize Massachusetts Credit Union Share Insurance Corporation (MSIC) investments; and

Petition (accompanied by bill, House, No. 3819) of James J. O'Day relative to the Massachusetts Credit Union Share Insurance Corporation.

Severally to the committee on Financial Services.

Petition (accompanied by bill, House, No. 3820) of Richard M. Haggerty, Cindy F. Friedman and Michelle L. Ciccolo (with the approval of the mayor and city council) for legislation to allow the mayor of the city of Woburn to fill vacancies on the Board of Trustees of the Woburn Library Corporation. To the committee on Municipalities and Regional Government.

Petition (accompanied by bill, House, No. 3821) of Natalie M. Blais and others relative to creating a municipal and public safety building authority. To the committee on Public Safety and Homeland Security.

Severally sent to the Senate for concurrence.

An additional petition (having been filed in the office of the Clerk previously to five o'clock P.M., on Friday, February 19, 2021) was presented, as follows:

By Ms. Sabadosa of Northampton, a petition (accompanied by bill, House, No. 3826) of Lindsay N. Sabadosa relative to remote participation in state public meetings; and the same was referred to the committee on State Administration and Regulatory Oversight. Sent to the Senate for concurrence.

Petitions (deposited with the Clerk previously to five o'clock in the afternoon on Friday, February 19, 2021) were presented and they were severally referred, as follows:

By Mr. Carey of Easthampton, a petition (subject to Joint Rule 7B) of Daniel R. Carey (with the approval of the mayor and city council) for legislation to amend the charter of the city of Easthampton.

By Ms. Ciccolo of Lexington, a petition (subject to Joint Rule 7B) of Michelle L. Ciccolo, Cindy F. Friedman and Michael J. Barrett (by vote of the town) relative to a community housing surcharge in the town of Lexington.

By Ms. Dykema of Holliston, a petition (subject to Joint Rule 7B) of Carolyn C. Dykema (by vote of the town) relative to amending the charter of the town of Hopkinton to change the name of the board of selectmen to select board.

By Ms. Elugardo of Boston, a petition (subject to Joint Rule 7B) of Nika C. Elugardo and Liz Miranda (with the approval of the mayor and city council) relative to the redevelopment of the Amory Street public housing project in the Jamaica Plain section of the city of Boston.

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (subject to Joint Rule 7B) of Dylan A. Fernandes and Julian Cyr (by vote of the town) relative to authorizing the town of Nantucket to impose a real estate transfer fee for affordable and workforce housing.

By the same members, a joint petition (subject to Joint Rule 7B) of Dylan A. Fernandes and Julian Cyr (by vote of the town) that the town of Nantucket be authorized to designate the Nantucket Housing Authority as the agency authorized to create, administer and enforce housing needs covenants in said town.

By Mr. Gentile of Sudbury, a petition (subject to Joint Rule 7B) of Carmine Lawrence Gentile, James B. Eldridge and Michael J. Barrett (by vote of the town)

Credit Union Insurance Corp.

Id.

Id.

Woburn Library Corporation.

Public safety building authority.

Meetings,-

participation.

remote

Easthampton, city charter.

Lexington, housing surcharge.

Hopkinton, select board.

Boston, public housing.

Nantucket, real estate transfer fee.

Nantucket Housing Authority.

Sudbury,---

relative to the membership of the Historic District Commission of the town of Sudbury.

By the same member, a petition (subject to Joint Rule 7B) of Carmine Lawrence Gentile, James B. Eldridge and Michael J. Barrett (by vote of the town) that the town of Sudbury be authorized to transfer a certain parcel of land in said town to Theodore Orenstein and Judith Aronson Webb.

By Representative Higgins of Leominster and Senator Cronin, a joint petition (subject to Joint Rule 7B) of Natalie M. Higgins and John J. Cronin (with the approval of the mayor and city council) relative to providing for special police officers in the city of Leominster.

By Mr. Jones of North Reading (by request), a petition (subject to Joint Rule 7B) of Michael Walsh relative to providing for a receivership for the city of Newton.

By Ms. Kerans of Danvers, a petition (subject to Joint Rule 7B) of Sally P. Kerans and Joan B. Lovely (by vote of the town) relative to the town of Danvers Electric Light Division.

By Mr. Markey of Dartmouth, a petition (subject to Joint Rule 7B) of Christopher M. Markey and Antonio F. D. Cabral (with the approval of the mayor and city council) relative to authorizing the city of New Bedford to convey certain land acquired for open space and playground purposes.

By Representative McKenna of Webster and Senator Fattman, a joint petition (subject to Joint Rule 7B) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) for legislation to authorize the town of Sutton to grant real property abatements to certain military personnel.

By the same members, a joint petition (subject to Joint Rule 7B) of Joseph D. McKenna and Ryan C. Fattman (by vote of the town) for legislation to authorize the Webster Retirement Board to grant creditable service to Chris W. Jolda and Kevin P. Adams, members of the rescue service of the town of Webster.

By Representative McMurtry of Dedham and Senator Rush, a joint petition (subject to Joint Rule 7B) of Paul McMurtry and Michael F. Rush (by vote of the town) relative to authorizing the town of Dedham to grant four additional licenses for the sale of all alcoholic beverages, four wine and malt licenses, all to be drunk on the premises, and one wine and malt package store license.

By Mr. Murray of Milford, a petition (subject to Joint Rule 7B) of Brian W. Murray (by vote of the town) that the town of Milford be authorized to change the name of the board of selectmen to select board.

By Mr. Philips of Sharon, a petition (subject to Joint Rule 7B) of Edward R. Philips and Paul R. Feeney relative to authorizing the conveyance of a conservation restriction on the land known as Inter Lochen Park in the town of Sharon.

By Representative Vitolo of Brookline and Senator Creem, a joint petition (subject to Joint Rule 7B) of Tommy Vitolo, Cynthia Stone Creem and Nika C. Elugardo (by vote of the town) relative to authorizing the town of Brookline to impose a real estate transfer fee.

By the same members, a joint petition (subject to Joint Rule 7B) of Tommy Vitolo and Cynthia Stone Creem (by vote of the town) relative to property tax relief for low and moderate income seniors in the town of Brookline.

By Representative Whipps of Athol and Senator Comerford, a joint petition (subject to Joint Rule 7B) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) that the town of Warwick be authorized to grant non-citizen permanent residents the right to vote in municipal elections.

historic commission.

Sudbury, land.

Leominster, special police officers.

Newton, receivership.

Danvers, electric light division.

New Bedford, land.

Sutton, property abatements.

Webster,— Chris Jolda and Kevin Adams.

Dedham, liquor licenses.

Milford, select board.

Sharon, land.

Brookline, real estate transfer fee.

Brookline, property tax relief.

Warwick, voting rights. By the same members, a joint petition (subject to Joint Rule 7B) of Susannah M. Whipps and Joanne M. Comerford (by vote of the town) for legislation to authorize persons sixteen years of age or older to vote in town elections in the town of Wendell.

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

#### Papers from the Senate.

#### Reports

Of the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 220) of Mark C. Montigny and Michael O. Moore for legislation to protect personal biometric data; and

Of the petition (accompanied by bill, Senate, No. 225) of Michael O. Moore for legislation to protect personal identifying information;

And recommending the same severally be referred to the committee on Advanced Information Technology, the Internet and Cybersecurity.

Of the petition (accompanied by bill, Senate, No. 230) of Patrick M. O'Connor, James M. Murphy, Steven G. Xiarhos, Adam J. Scanlon and other members of the General Court for legislation to ban the retail sale of cats and dogs in pet shops, and recommending that the same be referred to the committee on Environment, Natural resources and Agriculture.

Of the petition (accompanied by bill, Senate, No. 236) of Patrick M. O'Connor, Carmine Lawrence Gentile, Steven S. Howitt, Ryan C. Fattman and other members of the General Court for legislation to establish a dental patient bill of rights,— and recommending that the same be referred to the committee on Financial Services.

Of the petition (accompanied by bill, Senate, No. 163) of Joseph A. Boncore and Kay Khan for legislation relative to nurse licensure compacts; and

Of the petition (accompanied by bill, Senate, No. 237) of Patrick M. O'Connor, Carol A. Doherty, Patrick Joseph Kearney, Michael D. Brady and other members of the General Court for legislation relative to maintaining independent authority over nursing licensure in the Commonwealth;

And recommending the same severally be referred to the committee on Health Care Financing.

Of the petition (accompanied by bill, Senate, No. 210) of Adam G. Hinds for legislation to ensure timely physician licensure,— and recommending that the same be referred to the committee on Public Health.

Of the committee on Health Care Financing, asking to be discharged from further consideration

Of the petition (accompanied by bill, Senate, No. 809) of Susan L. Moran, Michael O. Moore and James B. Eldridge for legislation relative to MassHealth provider reimbursement,— and recommending that the same be referred to the committee on Education.

Of the petition (accompanied by bill, Senate, No. 788) of Jason M. Lewis, Hannah Kane, Eric P. Lesser and James B. Eldridge for legislation to establish the family caregiver tax credit,— and recommending that the same be referred to the committee on Revenue.

Severally accepted by the Senate, were considered forthwith, under Rule 42; and they were accepted, in concurrence.

Wendell, voting age.

Personal biometric data.

Personal information.

Pet shops.

Dental patient bill of rights.

Nursing licensure.

Id.

Physician licensure.

MassHealth, reimbursements.

Family caregiver tax credit. Petitions were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 2453) of William N. Brownsberger for legislation relative to the addition of sex as a protected class category for hate crime prosecutions. To the committee on the Judiciary.

Petition (accompanied by bill, Senate, No. 2454) of Marie Yolette Winfield for legislation to protect public health, promote accountability and prevent the violation of individual rights through the misuse, abuse and the violation of law. To the committee on Mental Health, Substance Use and Recovery.

Petition (accompanied by bill, Senate, No. 2455) of Ryan C. Fattman for legislation relative to 100% disabled veteran motor vehicle tax exemptions. To the committee on Revenue.

Petition (accompanied by bill, Senate, No. 2456) of Marc R. Pacheco (by vote of the town) for legislation to authorize the release of certain land in the town of Raynham from the operation of an agricultural preservation restriction. To the committee on State Administration and Regulatory Oversight.

#### 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 Adam J. Scanlon relative to a DNA exception rule for victims of rape. To the committee on the Judiciary.

Petition (accompanied by bill) of Marjorie C. Decker, Frank A. Moran and others for legislation to further regulate the manufacturing of assault weapons and large capacity feeding devices. To the committee on Public Safety and Homeland Security.

Petition (accompanied by bill) of Josh S. Cutler that the Governor issue an annual proclamation setting apart April twenty-fourth as Right Whale Day. To the committee on State Administration and Regulatory Oversight.

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

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 306) of Bruce J. Ayers relative to the sale of dogs, cats and rabbits in pet shops;

Of the petition (accompanied by bill, House, No. 384) of Natalie M. Higgins and others for legislation to further regulate to sale of certain domestic animals; and

Of the petition (accompanied by bill, House, No. 465) of Erika Uyterhoeven and Lindsay N. Sabadosa for legislation to regulate cottage foods;

And recommending that the same severally be referred to the committee on Environment, Natural Resources and Agriculture.

Of the petition (accompanied by bill, House, No. 322) of Daniel R. Carey for legislation to authorize direct dental care agreements,— and recommending that the same be referred to the committee on Financial Services.

Of the petition (accompanied by bill, House, No. 370) of Denise C. Garlick and others relative to maintaining independent authority over nursing licensure in the

Hate crime prosecutions,— sex.

Public health and individual rights.

Disabled veterans, vehicle taxes.

Raynham, land.

Rape,— DNA exception.

Assault weapons, feeding devices.

Right Whale day.

Pet shops, sales.

Domestic animals.

Cottage foods.

Direct dental care agreements.

Nursing licensure.

Commonwealth,— and recommending that the same be referred to the committee on Health Care Financing.

Of the petition (accompanied by bill, House, No. 307) of Bruce J. Ayers relative to the civilian certification of military medical personnel;

Of the petition (accompanied by bill, House, No. 385) of Bradford Hill for legislation to require physicians and physicians assistants to certify being trained in eating disorders when applying to renew their licenses; and

Of the petition (accompanied by bill, House, No. 437) of Paul McMurtry, Paul R. Feeney and others relative to a specialty pharmacy pilot program for urology;

And recommending that the same severally be referred to the committee on Public Health.

By Mr. Stanley of Waltham, for the committee on Elder Affairs, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 729) of Christine P. Barber, Jon Santiago and others relative to prescription drug cost transparency and affordability;

Of the petition (accompanied by bill, House, No. 737) of Carmine Lawrence Gentile and others relative to the rate setting processes for home health and home care services; and

Of the petition (accompanied by bill, House, No. 743) of Bradley H. Jones, Jr., and others relative to establishing a special commission (including members of the General Court) to study and provide recommendations on the feasibility of implementing a drug repository program for high cost pharmaceuticals;

And recommending that the same severally be referred to the committee on Health Care Financing.

Of the petition (accompanied by bill, House, No. 741) of Richard M. Haggerty and others relative to utilization of the prescription monitoring program,— and recommending that the same be referred to the committee on Public Health.

Under Rule 42, the reports severally were considered forthwith; and they were accepted. Severally sent to the Senate for concurrence.

By Mr. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a joint petition, a Bill relative to Chapter 181 of the Acts of 2020 (House, No. 303) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill authorizing the town of Maynard to grant one additional license for the sale of all alcoholic beverages to be consumed off the premises (House, No. 387) [Local Approval Received].

By the same member, for the same committee, on a joint petition, a Bill to grant additional liquor licenses for the sale of wines and malt beverages to be drunk on the premises in Concord (House, No. 3712) [Local Approval Received].

By the same member, for the same committee, on House, No. 380, a Bill authorizing the town of Somerset to grant additional licenses for the sale of alcoholic beverages to be drunk off the premises (House, No. 3811) [Local Approval Received].

By the same member, for the same committee, on House, No. 383, a Bill providing for alcoholic beverage licenses in the town of Dunstable (House, No. 3812) [Local Approval Received].

By the same member, for the same committee, on House, No. 3715, a Bill authorizing the town of Lunenburg to grant an additional license for the sale of all

Military doctor, etc.

Eating disorder training.

Uurology pilot program.

Prescription drug costs.

Rate setting processes.

Drug repository program.

Prescription monitoring program.

Westford, liquor license.

Maynard, liquor license.

Concord, liquor licenses.

Somerset, liquor licenses.

Dunstable, liquor licenses.

Lunenburg, liquor license. alcoholic beverages not to be drunk on the premises to Jaxx Country Variety (House, No. 3813) [Local Approval Received].

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

Order.

On motion of Mr. Mariano of Quincy,----

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

Next sitting.

Mr. Tucker of Salem moved that when the House adjourns today, it do so in respect to the memory of Thaddeus M. Buczko, a member of the House from Salem from 1959 to 1964, inclusive, and Auditor of the Commonwealth from 1964 to 1981, inclusive, and the motion prevailed.

Accordingly, at eight minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Donato of Medford being in the Chair), the House adjourned, to meet the following Tuesday at eleven o'clock A.M., in an Informal Session.