
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



WEDNESDAY, JUNE 9, 2021.

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JOURNAL OF THE HOUSE.

Wednesday, June 9, 2021.

Met according to adjournment at eleven o'clock A.M., in an Informal Session, with Mr. Garballey of Arlington 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. Garballey), the members and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Papers from the Senate.

A petition (accompanied by bill, Senate, No. 2464) of Harriette L. Chandler and Kimberly N. Ferguson (by vote of the town) for legislation relative to the board of selectman of the town of Princeton, was referred, in concurrence, to the committee on Municipalities and Regional Government.

Princeton,—
selectmen.

A petition (accompanied by bill) of Anne M. Gobi for legislation relative to the appointment of guardians ad litem in the housing court, came from the Senate referred, under suspension of Joint Rule 12, to the committee on the Judiciary.

Housing court,—
guardians
ad litem.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 2471) was referred, in concurrence, to the committee on the Judiciary.

Reports of Committees.

By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill relative to reprecincting (House, No. 820) [Representative Dooley of Norfolk dissenting]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Reprecincting.

Mr. Michlewitz of Boston, for said committee, reported that the foregoing bill, ought to pass with an amendment by substituting therefor a bill with the same title (House, No. 3863). Referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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. Wong of Saugus, the bill was read a second time forthwith.

The amendment recommended by the committee on Ways and Means then was adopted; and the substituted bill was ordered to a third reading.

Mr. Michlewitz of Boston, for the committee on Ways and Means, on House, No. 3773, reported, in part, a Bill making appropriations for fiscal year 2021 to provide for supplementing certain existing appropriations and for certain other activities and projects (House, No. 3862) [Total Appropriation: \$257,397,073.00].

Supplemental
appropriations.

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

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. Wong of Saugus, the bill was read a second time forthwith; and it was ordered to a third reading.

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

Exempting all positions in the police department and fire department of the town of Swampscott from the civil service law (House, No. 93) [Local Approval Received];

Authorizing the town of Clinton to continue the employment of police chief Mark R. Laverdure (House, No. 2704) [Local Approval Received];

Allowing the town of Wakefield to employ retired police officers as special police officers (House, No. 2714) [Local Approval Received];

To allow elected officers in the town of Lee to serve on the board of public works (House, No. 2757) [Local Approval Received];

Relative to the Ware fire department (House, No. 2774) [Local Approval Received]; and

Relative to the Fairhaven fire department (House, No. 2782) [Local Approval Received];

Under suspension of Rule 7A, in each instance, on motion of Mr. Wong of Saugus, the bills severally were read a second time forthwith; and they were ordered to a third reading.

By Ms. Dykema of Holliston, for the committee on Environment, Natural Resources and Agriculture, on Senate, No. 524 and House, Nos. 851 and 974, a Bill preserving open space in the Commonwealth (House, No. 851). Read; and referred, under Rule 33, to the committee on Ways and Means.

Recess.

At sixteen minutes before twelve o'clock noon, on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House recessed until five minutes before one o'clock P.M.; and at sixteen minutes after one o'clock, the House was called to order with Ms. Cronin of Easton in the Chair.

At twenty-five minutes past one o'clock P.M., the two Houses met in

JOINT SESSION

and were called to order by the Honorable Karen E. Spilka, President of the Senate.

The President, members, guests and employees then recited the pledge of allegiance to the flag.

Proposal for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (Senate, No. 5), having received, in joint session, the affirmative votes

Swampscott,—
civil service.
Clinton,—
Mark Laverdure.
Wakefield,—
special police.
Lee,—
elected officers.
Ware,—
fire department.
Fairhaven,—
fire department.

Open
space.

Recess.

Joint session of the
two branches.

Pledge of
allegiance.

Constitution,—
millionaire's
tax.

of a majority of all members elected to the preceding General Court [see House, No. 86 of 2019], has been referred, in accordance with Article XLVIII of the Amendments to the Constitution, to the present General Court,— was read, the question being on again agreeing to the amendment.

The Proposal was as follows:—

ARTICLE OF AMENDMENT.

Article 44 of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:-

To provide the resources for quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation, all revenues received in accordance with this paragraph shall be expended, subject to appropriation, only for these purposes. In addition to the taxes on income otherwise authorized under this Article, there shall be an additional tax of 4 percent on that portion of annual taxable income in excess of \$1,000,000 (one million dollars) reported on any return related to those taxes. To ensure that this additional tax continues to apply only to the commonwealth’s highest income taxpayers, this \$1,000,000 (one million dollars) income level shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets. This paragraph shall apply to all tax years beginning on or after January 1, 2023.

At twenty-eight minutes past one o’clock P.M., Mr. Hill of Ipswich doubted the presence of a quorum and asked for a call of the yeas and nays to ascertain if a quorum was present. The President, having determined that a quorum was not in attendance, then directed the Sergeant-at-Arms to secure the presence of a quorum.

Subsequently a roll call was taken for the purpose of ascertaining the presence of a quorum at nineteen minutes before two o’clock P.M., as follows to wit (Answered Present 200) [Senate Yeas and Nays No. 47] [House [Yeas and Nays No. 37](#)]:

ANSWERED “PRESENT” (200).

Quorum.

ANSWERED “PRESENT”.

Senators.

Barrett, Michael J.	Gomez, Adam
Boncore, Joseph A.	Hinds, Adam G.
Brady, Michael D.	Jehlen, Patricia D.
Brownsberger, William N.	Keenan, John F.
Chandler, Harriette L.	Kennedy, Edward J.
Chang-Diaz, Sonia	Lesser, Eric P.
Collins, Nick	Lewis, Jason M.
Comerford, Joanne M.	Lovely, Joan B.
Creem, Cynthia Stone	Montigny, Mark C.
Crichton, Brendan P.	Moore, Michael O.
Cronin, John J.	Moran, Susan L.
Cyr, Julian	O’Connor, Patrick M.
DiDomenico, Sal N.	Pacheco, Marc R.
DiZoglio, Diana	Rausch, Rebecca L.
Eldridge, James B.	Rodrigues, Michael J.
Fattman, Ryan C.	Rush, Michael F.
Feeney, Paul R.	Spilka, Karen E.
Finegold, Barry R.	Tarr, Bruce E.
Friedman, Cindy F.	Timilty, Walter F.
Gobi, Anne M.	Velis, John C. – 40.

ANSWERED “PRESENT”.

Representatives.

Arciero, James	Kelcourse, James M.
Ashe, Brian M.	Kerans, Sally P.
Ayers, Bruce J.	Khan, Kay
Balsler, Ruth B.	Kilcoyne, Meghan
Barber, Christine P.	Kushmerek, Michael P.
Barrett, John, III	LaNatra, Kathleen R.
Barrows, F. Jay	Lawn, John J., Jr.
Berthiaume, Donald R., Jr.	LeBoeuf, David Henry Argosky
Biele, David	Lewis, Jack Patrick
Blais, Natalie M.	Linsky, David Paul
Boldyga, Nicholas A.	Lipper-Garabedian, Kate
Cabral, Antonio F. D.	Livingstone, Jay D.
Cahill, Daniel	Lombardo, Marc T.
Capano, Peter	Madaro, Adrian C.
Carey, Daniel R.	Mahoney, John J.
Cassidy, Gerard J.	Malia, Elizabeth A.
Chan, Tackey	Mariano, Ronald
Ciccolo, Michelle L.	Mark, Paul W.
Connolly, Mike	Markey, Christopher M.
Consalvo, Rob	McGonagle, Joseph W., Jr.
Coppinger, Edward F.	McKenna, Joseph D.
Cronin, Claire D.	McMurtry, Paul
Cusack, Mark J.	Meschino, Joan
Cutler, Josh S.	Michlewitz, Aaron
Day, Michael S.	Minicucci, Christina A.

Dean Campbell, Linda
Decker, Marjorie C.
DeCoste, David F.
D'Emilia, Angelo L.
Devers, Marcos A.
Diggs, Kip A.
Doherty, Carol A.
Domb, Mindy
Donahue, Daniel M.
Donato, Paul J.
Dooley, Shawn
Driscoll, William J., Jr.
DuBois, Michelle M.
Duffy, Patricia A.
Durant, Peter J.
Dykema, Carolyn C.
Ehrlich, Lori A.
Elugardo, Nika C.
Farley-Bouvier, Tricia
Ferguson, Kimberly N.
Fernandes, Dylan A.
Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.
Fluker Oakley, Brandy
Frost, Paul K.
Galvin, William C.
Garballey, Sean
Garlick, Denise C.
Garry, Colleen M.
Gentile, Carmine Lawrence
Giannino, Jessica Ann
Gifford, Susan Williams
Golden, Thomas A., Jr.
González, Carlos
Gordon, Kenneth I.
Gouveia, Tami L.
Gregoire, Danielle W.
Haddad, Patricia A.
Haggerty, Richard M.
Harrington, Sheila C.
Hawkins, James K.
Hendricks, Christopher
Higgins, Natalie M.
Hill, Bradford
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Howard, Vanna
Howitt, Steven S.
Hunt, Daniel J.

Miranda, Liz
Mirra, Lenny
Mom, Rady
Moran, Frank A.
Moran, Michael J.
Muradian, David K., Jr.
Muratore, Mathew J.
Murphy, James M.
Murray, Brian W.
Nguyen, Tram T.
O'Day, James J.
Oliveira, Jacob R.
Orrall, Norman J.
Owens, Steven C.
Parisella, Jerald A.
Peake, Sarah K.
Pease, Kelly W.
Peisch, Alice Hanlon
Philips, Edward R.
Pignatelli, Smitty
Puppolo, Angelo J., Jr.
Ramos, Orlando
Robertson, David Allen
Robinson, Maria Duaine
Rogers, David M.
Rogers, John H.
Roy, Jeffrey N.
Ryan, Daniel J.
Sabadosa, Lindsay N.
Santiago, Jon
Scanlon, Adam J.
Schmid, Paul A., III
Sena, Danillo
Silvia, Alan
Smola, Todd M.
Soter, Michael J.
Stanley, Thomas M.
Straus, William M.
Sullivan, Alyson M.
Tucker, Paul F.
Turco, Jeffrey Rosario
Tyler, Chynah
Ultrino, Steven
Uyterhoeven, Erika
Vargas, Andres X.
Vieira, David T.
Vitolo, Tommy
Wagner, Joseph F.
Walsh, Thomas P
Whelan, Timothy R.
Whipps, Susannah M.

Jones, Bradley H., Jr.
Kane, Hannah
Kearney, Patrick Joseph
Keefe, Mary S.

Williams, Bud L.
Wong, Donald H.
Xiarhos, Steven G.
Zlotnik, Jonathan D. – 160.

The yeas and nays having been completed at nineteen minutes before two o'clock P.M., a quorum was declared present.

After debate, on the question on again agreeing to the amendment, the sense of the Joint Session was taken by a call of the yeas and nays, as required by the Constitution, at twenty-three minutes past two o'clock P.M., as follows, to wit (yeas 159 — nays 41) [**Senate Yeas and Nays No. 48**] [**House [Yeas and Nays No. 38](#)**]:

YEAS.

Senators.

Barrett, Michael J.
Boncore, Joseph A.
Brady, Michael D.
Brownsberger, William N.
Chandler, Harriette L.
Chang-Diaz, Sonia
Collins, Nick
Comerford, Joanne M.
Creem, Cynthia Stone
Crighton, Brendan P.
Cronin, John J.
Cyr, Julian
DiDomenico, Sal N.
DiZoglio, Diana
Eldridge, James B.
Feeney, Paul R.
Finegold, Barry R.
Friedman, Cindy F.
Gobi, Anne M.

Gomez, Adam
Hinds, Adam G.
Jehlen, Patricia D.
Keenan, John F.
Kennedy, Edward J.
Lesser, Eric P.
Lewis, Jason M.
Lovely, Joan B.
Montigny, Mark C.
Moore, Michael O.
Moran, Susan L.
O'Connor, Patrick M.
Pacheco, Marc R.
Rausch, Rebecca L.
Rodrigues, Michael J.
Rush, Michael F.
Spilka, Karen E.
Timilty, Walter F.
Velis, John C. – 38.

YEAS.

Representatives.

Arciero, James
Ayers, Bruce J.
Balsler, Ruth B.
Barber, Christine P.
Barrett, John, III
Biele, David

Blais, Natalie M.
Cabral, Antonio F. D.
Cahill, Daniel
Capano, Peter
Carey, Daniel R.
Cassidy, Gerard J.
Chan, Tackey
Ciccolo, Michelle L.

Khan, Kay
Kilcoyne, Meghan
Kushmerek, Michael P.
LaNatra, Kathleen R.
Lawn, John J., Jr.
LeBoeuf, David Henry
Argosky
Lewis, Jack Patrick
Linsky, David Paul
Lipper-Garabedian, Kate
Livingstone, Jay D.
Madaro, Adrian C.
Mahoney, John J.
Malia, Elizabeth A.
Mariano, Ronald

Connolly, Mike
Consalvo, Rob
Coppinger, Edward F.
Cronin, Claire D.
Cusack, Mark J.
Cutler, Josh S.
Day, Michael S.
Dean Campbell, Linda
Decker, Marjorie C.
Devers, Marcos A.
Diggs, Kip A.
Doherty, Carol A.
Domb, Mindy
Donahue, Daniel M.
Donato, Paul J.
Driscoll, William J., Jr.
DuBois, Michelle M.
Duffy, Patricia A.
Dykema, Carolyn C.
Ehrlich, Lori A.
Elugardo, Nika C.
Farley-Bouvier, Tricia
Fernandes, Dylan A.
Fiola, Carole A.
Fluker Oakley, Brandy
Garballey, Sean
Garlick, Denise C.
Gentile, Carmine Lawrence
Giannino, Jessica Ann
Golden, Thomas A., Jr.
González, Carlos
Gordon, Kenneth I.
Gouveia, Tami L.
Gregoire, Danielle W.
Haddad, Patricia A.
Haggerty, Richard M.
Hawkins, James K.
Hendricks, Christopher
Higgins, Natalie M.
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Howard, Vanna
Hunt, Daniel J.
Kearney, Patrick Joseph
Keefe, Mary S.
Kerans, Sally P.

Mark, Paul W.
McGonagle, Joseph W., Jr.
McMurtry, Paul
Meschino, Joan
Michlewitz, Aaron
Minicucci, Christina A.
Miranda, Liz
Mom, Rady
Moran, Frank A.
Moran, Michael J.
Murphy, James M.
Murray, Brian W.
Nguyen, Tram T.
O'Day, James J.
Oliveira, Jacob R.
Owens, Steven C.
Parisella, Jerald A.
Peake, Sarah K.
Peisch, Alice Hanlon
Philips, Edward R.
Pignatelli, Smitty
Ramos, Orlando
Robertson, David Allen
Robinson, Maria Duaima
Rogers, David M.
Rogers, John H.
Roy, Jeffrey N.
Ryan, Daniel J.
Sabadosa, Lindsay N.
Santiago, Jon
Scanlon, Adam J.
Sena, Danillo
Silvia, Alan
Stanley, Thomas M.
Straus, William M.
Tucker, Paul F.
Turco, Jeffrey Rosario
Tyler, Chynah
Ultrino, Steven
Uyterhoeven, Erika
Vargas, Andres X.
Vitolo, Tommy
Wagner, Joseph F.
Walsh, Thomas P.
Whipps, Susannah M.
Williams, Bud L. – 121.

NAYS.
Senators.

Fattman, Ryan C.

NAYS.

Tarr, Bruce E. – 2.

Representatives.

Ashe, Brian M.	Kelcourse, James M.
Barrows, F. Jay	Lombardo, Marc T.
Berthiaume, Donald R., Jr.	Markey, Christopher M.
Boldyga, Nicholas A.	McKenna, Joseph D.
DeCoste, David F.	Mirra, Lenny
D’Emilia, Angelo L.	Muradian, David K., Jr.
Dooley, Shawn	Muratore, Mathew J.
Durant, Peter J.	Orrall, Norman J.
Ferguson, Kimberly N.	Pease, Kelly W.
Ferrante, Ann-Margaret	Puppolo, Angelo J., Jr.
Finn, Michael J.	Schmid, Paul A., III
Frost, Paul K.	Smola, Todd M.
Galvin, William C.	Soter, Michael J.
Garry, Colleen M.	Sullivan, Alyson M.
Gifford, Susan Williams	Vieira, David T.
Harrington, Sheila C.	Whelan, Timothy R.
Hill, Bradford	Wong, Donald H.
Howitt, Steven S.	Xiarhos, Steven G.
Jones, Bradley H., Jr.	Zlotnik, Jonathan D. – 39.
Kane, Hannah	

The yeas and nays having been completed at twenty-three minutes before three o’clock P.M., the amendment was “again agreed to in joint session by a majority of all the members elected”.

The vote on the agreement to the amendment was certified by the Clerk of the joint session to the Secretary of the Commonwealth, in accordance with the provisions of Article XLVIII (as amended by Article LXXXI) of the Amendments to the Constitution.

Without further action on the matters duly and constitutionally assigned for consideration, at twenty-three minutes before three o’clock P.M., on motion of Mr. Rodrigues, the Joint Session was recessed until Monday, October 25, 2021 at twelve o’clock noon; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.

At twenty-two minutes before three o’clock P.M., the House was called to order with Mr. Garballey of Arlington in the Chair.

Called
to order.

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.

At nineteen minutes before three o'clock P.M., on motion of Mr. Jones of North Reading (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.