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The Commonwealth of Massachusetts

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## JOURNAL OF THE HOUSE.



MONDAY, JULY 18, 2022.

[74]\*

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Monday, July 18, 2022.

Met according to adjournment at eleven o'clock A.M., under emergency rules, 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, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of  
allegiance.

## *Resignation of Representative Robinson of Framingham.*

The following communication was read; and spread upon the records of the House, as follows:

Clerk Steven James  
24 Beacon Street, Room 145  
Boston, MA 02133

To the esteemed Mr. James,

I submit to you my letter of resignation, effective midnight July 17, 2022, leaving my position as a Member of the House of Representatives, representing the 6th Middlesex District.

Being a Member of this House has been a distinct honor, and I am grateful to all of the wonderful people I have met in this capacity.

Resignation of  
Representative  
Maria Duaime  
Robinson of  
Framingham.

Best,  
Maria Duaime Robinson.

## *Petitions.*

Petitions severally were presented and referred as follows:

By Mr. Biele of Boston, a petition (accompanied by bill, House, No. 5036) of David Biele and Nick Collins (with the approval of the mayor and city council) relative to certain affordable housing in the South Boston section of the city of Boston. To the committee on Housing.

Boston,—  
affordable  
housing.

By Mr. Gentile of Sudbury, a petition (accompanied by bill, House, No. 5037) of Carmine Lawrence Gentile (by vote of the town) that the town of Sudbury be authorized to further regulate the Historic District Commission in said town;

Sudbury,—  
historic  
commission.

By Ms. Giannino of Revere, a petition (accompanied by bill, House, No. 5038) of Jessica Ann Giannino, Jeffrey Rosario Turco and Lydia Edwards (with the approval of the mayor and city council) relative to the school committee in the city of Revere; and

Revere,—  
school  
committee.

By Mr. Holmes of Boston, a petition (accompanied by bill, House, No. 5039) of Russell E. Holmes (with the approval of the mayor and city council) relative to the procurement of supplies or services in the city of Boston;

Boston,—  
procurement.

Severally to the committee on Municipalities and Regional Government.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Mr. Pease of Westfield, a petition (subject to Joint Rule 12) of Kelly W. Pease (with the approval of the mayor and city council) that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land to the school department in the city of Westfield.

Westfield,—  
land.

By Mr. Turco of Winthrop, a petition (subject to Joint Rule 12) of Jeffrey Rosario Turco and others for legislation to repeal certain aspects of the gun law.

Gun laws,—  
repeal.

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

### *Papers from the Senate.*

The House Bill authorizing the town of Danvers to convey and acquire certain property (House, No. 3751), came from the Senate passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3005. The amendment was referred, under Rule 35, to the committee on Bills in the Third Reading.

Danvers,—  
land.

A Bill authorizing the commissioner of capital asset management and maintenance to lease the former Joseph Lee Pool Complex located in the city of Boston (Senate, No. 3004) (on Senate bill No. 2041), passed to be engrossed by the Senate, was read; and it was referred, under Rule 33, to the committee on Ways and Means.

Boston,—  
Lee pool.

#### Bills

Authorizing the town of Andover to establish a means tested senior citizen property tax exemption (Senate, No. 2512) (on a petition) [Local Approval Received]; and

Andover,—  
senior tax  
exemption.

Extending the duration of the Fitchburg Area Economic Development Corporation (Senate, No. 2852) (on a petition);

Fitchburg,—  
economic  
development.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

A petition (accompanied by bill, Senate, No. 3001) of Marc R. Pacheco, Carol A. Doherty, Patricia A. Haddad and Norman J. Orrall (with approval of the mayor and city council) for legislation to exempt certain positions in the city of Taunton from civil service status, was referred, in concurrence, to the committee on Public Service.

Taunton,—  
civil service.

A petition of Anne M. Gobi and Kimberly N. Ferguson (by vote of the town) for legislation to authorize the conveyance of certain parcels of real estate by and between the Division of Conservation and Recreation and the town of Holden, came from the Senate referred, under suspension of Joint Rule 12, to the committee on State Administration and Regulatory Oversight.

Holden,—  
land.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 3019) was referred, in concurrence, to the committee on State Administration and Regulatory Oversight.

Notice was received of the following change in the membership of a committee of conference:

That Senator Tarr had been replaced by Senator Fattman as a member of the committee of conference on the disagreeing votes of the two branches with reference to Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document number 2831) of the House Bill preserving open space in the Commonwealth (House, No. 851),

The membership of the committees of conference are as follows: Representatives Balser of Newton, O'Day of West Boylston and Gifford of Wareham on the part of the House; and Senators DiDomenico, Eldridge and Fattman on the part of the Senate.

Open space.

Conference committees—membership.

#### *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 Rules 12 and 9 be suspended on the joint petition of Antonio F. D. Cabral and Mark C. Montigny relative to benefit payments by the New Bedford Police Association. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rules 12 and 9 were suspended; and the joint petition (accompanied by bill) was referred to the committee on Public Service. Sent to the Senate for concurrence.

New Bedford Police Association.

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:

Upton,—exemption.

Authorizing the town of Upton to establish a means tested senior citizen property tax exemption (House, No. 4755) [Local Approval Received];

Methuen,—assistant clerk.

Relative to the amendment of section 2-8(b) and section 3-2(a) of the Home Rule Charter of the city of Methuen (House, No. 4779) [Local Approval Received];

Dedham,—charter.

Relative to the charter of the town of Dedham (House, No. 4878) [Local Approval Received];

Barnstable,—easement.

Authorizing the town of Barnstable to grant an easement to Park City Wind LLC (House, No. 4986) [Local Approval Received]; and

Wellesley,—liquor licenses.

Authorizing the town of Wellesley to grant certain licenses for the temporary sale of alcoholic beverages (House, No. 5016) [Local Approval Received];

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

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 3184, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document concerning the use of private contractors to provide certain public services (House, No. 4485) [Representative Robinson of Framingham dissenting].

Private contractors,—study.

By the same member, for the same committee, on House, No. 3198, an Order relative to authorizing the committee on State Administration and Regulatory

Southern Middlesex County,

Oversight to make an investigation and study of a certain House document relative to a suitable location for a justice complex in Southern Middlesex County (House, No. 4486) [Representative Robinson of Framingham dissenting].

study.

By the same member, for the same committee, on House, No. 3214, an Order relative to authorizing the committee on State Administration and Regulatory Oversight to make an investigation and study of a certain House document relative to legislation to further regulate public building projects (House, No. 4489) [Representative Robinson of Framingham dissenting].

Public  
building  
projects,—  
study.

Severally referred, under Joint Rule 29, to the committees on Rules of the two branches, acting concurrently.

Mr. Galvin of Canton, for said committees, reported, in each instance, asking to be discharged from further consideration of the orders; and recommending that the same severally be referred to the House committee on Rules.

Under Rule 42, the reports severally were considered forthwith; and they were accepted.

By Miss Gregoire of Marlborough, for the committee on Bonding, Capital Expenditures and State Assets, on a message from His Excellency the Governor, a Bill providing for the terms of certain bonds for transportation improvements to be issued by the Commonwealth (printed in House, No. 4981).

Municipal roads  
and bridges,—  
bond terms.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on House, No. 4959, a Bill authorizing the Division of Capital Asset Management and Maintenance to convey a certain parcel of land to the town of Danvers (House, No. 5032).

Danvers,—  
land.

By the same member, for the same committee, on House, No. 3222, a Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a certain parcel of land in the town of Tewksbury (House, No. 5033).

Tewksbury,—  
land.

Severally read; and referred, under Rule 33, to the committee on Ways and Means.

By Mr. Tucker of Salem, for the committee on Municipalities and Regional Government, on a joint petition, a Bill changing the board of selectmen of the town of Shrewsbury to the select board (House, No. 5011) [Local Approval Received].

Shrewsbury,—  
select board.

By Mr. Cabral of New Bedford, for the committee on State Administration and Regulatory Oversight, on Senate, Nos. 2037, 2055, 2082 and 2104 and House, Nos. 3111, 3152, 3213, 3224, 3227 and 3826, a Bill to modernize participation in public meetings (House, No. 5031).

Public  
meetings.

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

### *Engrossed Bills.*

#### Engrossed bills

Authorizing the town of Bourne to exempt the position of chief of police from civil service law (see House, No. 3864); and

Bills  
enacted.

Designating a certain playground on the Esplanade in the city of Boston as the Gronk Playground (see House, No. 3914);

(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.

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

The House Bill authorizing the town of Lanesborough to continue the employment of Daniel Bolognia, Charles Garrity, Peter Pannesco, Peter Oakley, David Rolle, Donald Whalen and Michael Wooliver as firefighters (House, No. 4712) (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 Ms. Barber of Somerville; and it was passed to be engrossed. Sent to the Senate for concurrence.

Lanesborough,—  
firefighters.

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

Establishing a Beachwood/Lenstock maintenance district in the town of Stockbridge (House, No. 4316); and

Authorizing Thomas Harmon to purchase creditable service from the Barnstable County Retirement Board (House, No. 4774);

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

Stockbridge,—  
district.

Thomas  
Harmon.

*Recess.*

At sixteen minutes after eleven o'clock A.M., on motion of Mr. Smola of Warren (Mr. Garballiey of Arlington being in the Chair), the House recessed until one o'clock P.M.; and at seven minutes after one o'clock 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 153 members were recorded as being in attendance.

Quorum,—  
yea and nay  
No. 220.

[See [Yea and Nay No. 220 in Supplement.](#)]

Therefore a quorum was present.

*Papers from the Senate.*

The House Bill relative to Massachusetts's transportation resources and climate (House, No. 4916), came from the Senate, passed to be engrossed, in concurrence, with an amendment striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3016.

Transportation  
and climate.

Under suspension of Rule 35, on motion of Mr. Straus of Mattapoisett, the amendment was considered forthwith. The House then non-concurred with the Senate

Committee of  
conference.

in its amendment; and, on further motion of the same member, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Straus, Gregoire of Marlborough and Orrall of Lakeville were appointed the committee on the part of the House. Sent to the Senate to be joined.

Subsequently notice was received from the Senate that said branch had insisted on its amendment, concurred with the House in the appointment of a committee of conference; and that Senators Crighton, Collins and O'Connor had been joined as the committee on the part of the Senate.

Petitions severally were referred, in concurrence, under suspension of Joint Rule 12, as follows:

Petition (accompanied by bill, Senate, No. 3021) of Ryan C. Fattman and Brian M. Ashe for legislation to authorize the transfer of care and control of land in the town of Monson;

Petition (accompanied by bill, Senate, No. 2963) of Cindy F. Friedman (by vote of the town) for legislation to authorize the town of Billerica to transfer certain parcels of land;

Petition (accompanied by bill, Senate, No. 3020) of Anne M. Gobi, Joanne M. Comerford, Jonathan D. Zlotnik and Susannah M. Whipps for legislation to authorize the transfer of land in Templeton, Phillipston and Royalston; and

Petition (accompanied by bill, Senate, No. 3022) Marc R. Pacheco and Angelo L. D'Emilia for legislation to further regulate the transfer and control of certain parcels of land in the town of Bridgewater from the Department of Correction to the Department of Fire Services;

Severally to the committee on State Administration and Regulatory Oversight.

Id.

Monson,—  
land.

Billerica,—  
land.

Templeton  
Development  
Center.

Bridgewater,—  
land.

General  
Appropriation  
Bill.

Mr. Michlewitz of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendment (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 2915) of the House Bill making appropriations for the fiscal year 2023 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 (House, No. 4701), reported, in part, a bill with the same title (House, No. 5050) [Total Appropriation: \$52,708,708,716.00]. 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 Rule 7A, on motion of Mr. Michlewitz, the report was considered forthwith; and after debate it was accepted. Sent to the Senate for concurrence.

#### *Emergency Measures.*

The engrossed Bill establishing a sick leave bank for Patrick Laughlin, an employee of the Massachusetts Department of Transportation (see House, No. 4341), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

Patrick  
Laughlin,—  
sick leave.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 39 to 0. Sent to the Senate for concurrence.

Bill enacted.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was passed to be enacted, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

The engrossed Bill making appropriations for the fiscal year 2023 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. 5050), having been certified by the Clerk to be rightly and truly prepared for final passage, was considered, the question being on adopting the emergency preamble.

General Appropriation Bill.

A separate vote was taken, as required by the provisions of Article XLVIII (as amended by Article LXVII) of the Amendments to the Constitution; and the preamble was adopted, by a vote of 36 to 0. Sent to the Senate for concurrence.

Subsequently, the Senate having concurred in adoption of the emergency preamble, the bill (which originated in the House) was put upon its final passage.

Bill enacted,—yea and nay No. 221.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays, as required under Emergency Rule 2; and on the roll call 153 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 221 in Supplement.](#)]

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

*Engrossed Bill.*

Bill enacted.

The engrossed Bill relative to certain voting precincts in the city of Quincy (see House, No. 4875) (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, there being no objection; and it was signed by the acting Speaker and sent to the Senate.

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

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

Boston,—death benefits.

Providing certain death benefits for the widow of a former firefighter of the city of Boston (House, No. 4454); and

Gardner,—land.

Relative to the leasing of a certain parcel of land in the city of Gardner (House, No. 4980);

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

Gardner,—civil service.

The House Bill relative to the exempting [sic] certain positions in the city of Gardner from the provisions of civil service (House, No. 3941), was discharged from its position in the Orders of the Day, and read a second time forthwith, under suspension of Rule 47, on motion of Mr. Donato of Medford; and it was ordered to a third reading.

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The House Bill authorizing the city of Newburyport to continue the employment of police officer Charles Vorderis (House, No. 4871), 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. Donato of Medford.

Newburyport,—  
Charles  
Vorderis.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it in section 1, in line 1, by inserting after the word “contrary” the following: “, but subject to chapter 6E of the General Laws”; and by inserting after the second sentence of section 1 the following sentence: “Charles Vorderis shall, while continuing to serve as a police officer of the city of Newburyport, comply with all requirements of chapter 6E of the General Laws, including: (i) maintaining certification and good standing with the Massachusetts Peace Officer Standards and Training Commission; and (ii) complying with all in-service and other training requirements mandated by the municipal police training committee.”.

The amendments were adopted; and the bill (House, No. 4871, amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the transfer of certain land of the Commonwealth to the city of Revere for municipal purposes (House, No. 4979) (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. Donato of Medford.

Revere,—  
land.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by striking out section 2 and inserting in place thereof the following section:

“SECTION 2. The interests in land to be conveyed, as authorized in section 1, shall consist of all or a portion of the following:

(i) a parcel of land to be held by the city of Revere for municipal public safety purposes, consisting of approximately 1.46 acres, taken by the commonwealth by order of taking recorded in the Suffolk county registry of deeds in book 2592, page 337 and shown as ‘Lot B’ on a plan of land entitled ‘Subdivision Plan of Land in Revere, Mass.’, dated January 27, 2003 and recorded at the Suffolk county registry of deeds in plan book 2006, plan 239;

(ii) a parcel of land to be held by the city of Revere for municipal fire safety purposes, consisting of approximately 0.11 acres, acquired by the commonwealth by deed recorded in the Suffolk county registry of deeds in book 7604, page 475 and shown as ‘Lot A’ on a plan entitled ‘Approval Not Required (ANR) Plan Located in Revere, Massachusetts (Suffolk County)’ prepared for Winter Street Architects by Brennan Consulting, dated June 8, 2021, to be kept on file at the office of the division of capital asset management and maintenance; or

(iii) a non-exclusive subsurface electrical utility easement, shown on a plan entitled ‘Electrical Power Site Plan’ prepared by WSP USA Buildings, Inc., which is on file with the city of Revere, in connection with a kiosk for signage and public service announcements that may be issued to the city of Revere by the commissioner of conservation and recreation pursuant to a written permit for a term not to exceed

20 years, notwithstanding section 33 of chapter 92 of the General Laws. Such easement to be conveyed pursuant to this section is located in or upon a parcel of land taken by the commonwealth by order of taking recorded in the Suffolk county registry of deeds in book 2418, page 481, held by the commonwealth for park and open space purposes.”; and by inserting before the enacting clause the following emergency preamble:

“*Whereas*, The deferred operation of this act would tend to defeat its purpose, which is to authorize the transfer of certain parcels of land from the division of capital asset management and maintenance to the city of Revere, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”.

The amendments were adopted; and the bill (House, No. 4979, amended) was passed to be engrossed. Sent to the Senate for concurrence.

*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.

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At three minutes before four o’clock P.M., on motion of Mr. Jones of North Reading (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.