
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JULY 22, 2021.

[73]*

JOURNAL OF THE HOUSE.

Thursday, July 22, 2021.

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

Pledge of
allegiance.

Silent Prayers.

During the session the Chair (Ms. Hogan of Stow) declared a brief recess; and at the request of Ms. Decker of Cambridge the members and employees stood in a moment of silent tribute in respect to the memory of Mrs. Eleanor Mahar Deegan, a beloved mother, wife, friend, and Cambridge community member.

Eleanor Mahar
Deegan.

Despite many physical challenges, Mrs. Deegan forged her own path and built family and community with great kindness, generosity and charisma. She was a passionate social activist, writer, and business owner. She worked with luminaries and people of great artistic and political influence to amplify powerful messages of fairness and justice. Most important to her, though, were her friends and family, who looked to her as a beacon and truth teller, and who feel the tremendous loss of her laughter, love and light.

Mrs. Deegan's father, Ralph C. Mahar, was a state senator who among many things was active in shaping our Commonwealth's education policy. Mr. Mahar believed that a higher education should not be the sole purview of the rich, and in 1947 filed a bill to create the University of Massachusetts system. He served as the Chairman of the Ways and Means Committee under Governor Christian A. Herter.

Ellie's family, friends, and the community as a whole appreciate the contributions that she and her family have made to Cambridge and the Commonwealth.

During the session (Ms. Hogan of Stow being in the Chair), at the request of Ms. Dykema of Holliston the members and employees stood in a moment of silent tribute to the memory of Matthew J. "Doc" D'Errico, of Southborough, who passed away at the age of 59 on June 14th, 2021.

Matthew J.
"Doc" D'Errico.

Doc worked as an engineer at EMC Corporation in Hopkinton for nearly 25 years, where he was widely respected for his intellect and skill with electronics, holding over 20 patents over the course of his career.

Doc lived a life of service and was dedicated to helping many causes, including the American Cancer Society, Museum of Science, Boston Children's Hospital where he put on a Santa suit and delivered toys, and Pilots for Paws where he flew animals all over the country to new, caring forever homes. His passion for drums and trumpet also led him to bring music education to Haiti after the devastating 2010 earthquake. Doc was also a dedicated advocate for motorcycle safety, and was a regular visitor to the State House as a board member of the Mass Motorcycle Association.

Doc is survived by his wife, his son, and many close family members and friends and will be greatly missed.

During the session, Representative Garlick of Needham took the Chair, declared a brief recess, and at her request and the request of Representative Dooley of Norfolk, the members and employees stood in a moment of silent tribute to the memory of Captain Michael “Mike” Dean Harman, who died at age 42 on Saturday, July 10, 2021. Captain Harman is survived by his wife, his parents, and his sister. He was born in Norwood, Mass on March 14, 1978 and graduated from Medfield High School and Franklin Pierce College.

Michael
Harman.

In 2003, Captain Harman made his way back to Medfield and was hired to the Medfield Fire Department where we rose through the ranks of lieutenant in 2014 and more recently, Captain. Captain Harman was responsible for all fire prevention and code enforcement and he ran the Fire Cadet Program, which prepares the next generation of firefighters.

His pride and joy, other than his pets, was his boat “Best. Day. Ever”.

Captain Harman aided many through his compassion, bravery, public service and leadership. He is well loved and will be greatly missed.

Message from the Governor — Disapprovals and Recommendations of Amendments in General Appropriation Bill.

A message from His Excellency the Governor returning with reductions of certain items contained in sections 2 and 2E, disapproval of sections 99 and 121, and also with recommendation of amendment of certain sections contained in of the engrossed Bill making appropriations for the fiscal year 2022 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. 4002] (for message, see House, No. 4019), filed in the office of the Clerk on Friday, July 16, was read.

General
Appropriation
Bill,—
disapprovals and
amendments.

So much of the message as relates to the disapprovals and reductions were referred, under Rule 30, to the committee on Ways and Means.

So much of the message as relates to the sections returned with recommendations of amendments, were referred, as follows:

- Section 6 — Printed as House, No. 4003;
- Sections 7, 102 and 103 — Printed as House, No. 4004;
- Section 8 — Printed as House, No. 4005;
- Section 12 — Printed as House, No. 4006;
- Section 18 — Printed as House, No. 4007;
- Sections 23, 30, 32, 33, 34 and 145 — Printed as House, No. 4008;
- Section 39 — Printed as House, No. 4009;
- Section 42 — Printed as House, No. 4010;
- Section 47 — Printed as House, No. 4011;
- Section 67 — Printed as House, No. 4012;
- Sections 74 and 119 — Printed as House, No. 4013;
- Section 113 — Printed as House, No. 4014;
- Sections 116 and 117 — Printed as House, No. 4015;
- Section 128 — Printed as House, No. 4016;
- Section 129 — Printed as House, No. 4017; and
- Section 135 — Printed as House, No. 4018.

Severally, on motion of Ms. Garlick of Needham, to the committee on Bills in the Third Reading.

Resolutions.

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

Resolutions (filed by Ms. Hogan of Stow) congratulating Vincent P. Boothroyd on achieving the rank of Eagle Scout with the Boy Scouts of America;

Vincent
Boothroyd.

Resolutions (filed by Ms. Hogan of Stow) congratulating Alonso Moreno on achieving the rank of Eagle Scout with the Boy Scouts of America; and

Alonso
Moreno.

Resolutions (filed by Mr. Cutler of Pembroke) congratulating John Gillet on his elevation to the rank of Eagle Scout;

John
Gillet.

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. Wong of Saugus, 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 Division of Capital Asset Management and Maintenance (see Section 6 of Chapter 7C of the General Laws) submitting its Supplier Diversity Office Comprehensive Annual Report for fiscal year 2020;

Supplier
Diversity
Office.

From the Multi-Agency Illegal Tobacco Task Force (see Section 40(d) of Chapter 64C of the General Laws) submitting an annual report relative to the coordination of efforts to combat contraband tobacco distribution, including efforts to foster compliance with the law and conduct targeted investigations and enforcement actions against violators; and

Tobacco
distribution.

From the Department of Elementary and Secondary Education (see sections 1B and 1J of Chapter 69 of the General Laws) submitting requests for comment on proposed amendments to 603 CMR 2.00, Regulations on Accountability and Assistance for School Districts and Schools [a copy of said communication was forwarded to the committee on Education, as required by law];

School
districts, —
regulations.

Severally were placed on file.

Reports.

Annual reports

Of the Division of Administrative Law Appeals (under Section 4H of Chapter 7 of the General Laws) for calendar year 2020; and

Administrative
Law Appeals.

Of the Property and Casualty Initiative, LLC (under Section 3 of Chapter 259 of the Acts of 1998) for fiscal year 2020 [copies of said report were forwarded to the committees on Ways and Means, Financial Services and Revenue]; and

Property
and Casualty
Initiative.

Reports

Of the Office of the State Auditor (under Section 17 of Chapter 11 of the General Laws) submitting its third quarter report of the Bureau of Special Investigations from January 1, 2021 to March 31, 2021;

Bureau of
Special
Investigations.

Of the Massachusetts District Attorneys Association (under Section 20D of Chapter 12 of the General Laws) on the status of child abuse and neglect cases for fiscal years 2019 and 2020;

Child abuse and neglect.

Of the Cannabis Control Commission (under Section 18 of Chapter 94G of the General Laws) submitting its annual audit report [copy of said report was forwarded to the committee on Ways and Means, as required by said law];

Cannabis Control Commission.

Of the MetroWest Regional Transit Authority (under Section 8(g) of Chapter 161 of the General Laws) submitting financial statements, supplementary information, and a schedule of expenditures of federal awards and OMB uniform guidance auditors' reports for the fiscal year 2020;

MetroWest Regional Transit Authority.

Of the Department of Transportation, Rail and Transit Division (under Subsection 11 of Section 151 of Chapter 127 of the Acts of 1999) submitting a report outlining the net operating investment per passenger mile ratio for fiscal years 2019 through 2023;

MBTA,— per passenger mile ratios.

Of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) submitting the May 2021 Unemployment Insurance Trust Fund Report; and

Unemployment Insurance Trust Fund.

Of the Department of Unemployment Assistance (under Section 14F of Chapter 151A of the General Laws) submitting the June 2021 Unemployment Insurance Trust Fund Report;

Id.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mrs. Campbell of Methuen, a petition (accompanied by bill, House, No. 3984) of Linda Dean Campbell and Frank A. Moran (with the approval of the mayor and city council) relative to the charter of the city of Methuen;

Methuen,— charter.

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (accompanied by bill, House, No. 3985) of Dylan A. Fernandes (by vote of the town) relative to changing the name of the board of selectmen to select board in the town of Chilmark;

Chilmark,— select board.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 3986) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to utility improvements on private roads in the town of Eastham; and

Eastham,— roads.

By Mr. Philips of Sharon, a petition (accompanied by bill, House, No. 3987) of Edward R. Philips, Walter F. Timilty and Paul R. Feeney (by vote of the town) relative to changing the board of selectmen of the town of Sharon to a select board;

Sharon,— select board.

Severally to the committee on Municipalities and Regional Government.

By Representative Blais of Sunderland and Senator Comerford, a joint petition (accompanied by bill, House, No. 3988) of Natalie M. Blais and Joanne M. Comerford (by vote of the town) that the town of Deerfield be authorized to continue the employment of police officer Gary Sibilila. To the committee on Public Service.

Deerfield,— Gary Sibilila.

By Representative LeBoeuf of Worcester and Senator Moore, a joint petition (accompanied by bill, House, No. 3989) of David Henry Argosky LeBoeuf and Michael O. Moore (by vote of the town) that the town of Leicester be authorized to grant full annual property tax exemptions to the surviving spouse of Rutland police detective and Leicester resident John D. Songy. To the committee on Revenue.

Leicester,— John Songy.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Representative Holmes of Boston and Senator Chang-Diaz, a joint petition (subject to Joint Rule 12) of Russell E. Holmes and Sonia Chang-Diaz that the commissioner of Capital Asset Management and Maintenance be authorized to convey a certain parcel of land located in the city of Boston to Worcester City Campus Corporation for the University of Massachusetts Medical School's MassBiologics.

Boston,—
land.

By Messrs. Ultrino of Malden and Donato of Medford, a petition (subject to Joint Rule 12) of Steven Ultrino, Paul J. Donato and Jason M. Lewis relative to charter schools and the uniform procurement act.

Charter
schools,—
procurement.

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

Papers from the Senate.

Petitions severally were referred, in concurrence, as follows:

A petition (accompanied by bill, Senate, No. 2500) of Marc R. Pacheco and Norman J. Orrall (by vote of the town) for legislation to authorize the town of Berkley to grant one additional license for the sale of all alcoholic beverages not to be drunk on the premises. To the committee on Consumer Protection and Professional Licensure.

Berkley,—
liquor
license.

A petition (accompanied by bill, Senate, No. 2497) of Bruce E. Tarr, Diana DiZoglio, Christina A. Minicucci and Tram T. Nguyen (by vote of the town) for legislation to amend the town charter of the town of North Andover. To the committee on Municipalities and Regional Government.

North
Andover,—
charter.

A petition (accompanied by bill, Senate, No. 2498) of Bruce E. Tarr, Diana DiZoglio, Christina A. Minicucci and Tram T. Nguyen (by vote of the town) for legislation to exempt Marcel Cuffy and John R. Baker from the maximum age requirements for firefighters in the town of North Andover. To the committee on Public Service.

North
Andover,—
firefighters.

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 Dylan A. Fernandes relative to indigenous representation on the Martha's Vineyard Commission; and

Martha's
Vineyard.

Petition (accompanied by bill) of Dylan A. Fernandes for legislation to further regulate Cape Cod's environment and water supply;

Cape Cod,—
water.

Severally to the committee on Environment, Natural Resources and Agriculture.

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

Recess.

At three minutes after eleven o'clock A.M., on motion of Mr. Vieira of Falmouth (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at twelve 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 159 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 71.

[See [Yea and Nay No. 71 in Supplement.](#)]

Therefore a quorum was present.

Motion to Discharge Certain Matters in the Orders of the Day.

The House Bill regulating sports wagering (House, No. 3977), 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. Parisella of Beverly.

Sports
wagering.

After debate on the question on passing the bill to be engrossed, Representatives Muradian of Grafton, Jones of North Reading and Soter of Bellingham moved to amend it in section 4, in line 735, by striking out the figure: “9” and inserting in place thereof the figures: “11”; and in line 738 by inserting after the word “representatives” the following: “; 1 of whom shall be the minority leader of the house of representatives, or a designee; 1 of whom shall the minority leader of the senate, or a designee”; and the amendments were adopted.

Mr. Chan of Quincy then moved to amend the bill in section 4, in line 699, by striking out the word “accessibility” and inserting in place thereof the following: “accessibility; and (iv) provide English language learning programs to promote access to the workforce”, in line 707 by striking out the words “line” and inserting in place thereof the following: “line; or (vii) is an immigrant, refugee or person of color”; and in line 722, by inserting after the word “programs,” the words “English language learning programs,”. The amendments were adopted.

Mr. McMurtry of Dedham then moved to amend the bill by inserting after section 3 the following section:

“SECTION 3A. Chapter 23K of the General Laws is hereby amended by inserting after section 20 the following section:

Section 20A. (a) As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

‘Limited slot machine establishment’, the premises owned or leased by a veterans’ organization for use by its members in good standing.

‘Limited slot machine license’, a gaming license issued by the commission that permits a veterans’ organization to operate a gaming establishment with no table games and not more than 5 slot machines at a limited slot machine establishment.

‘Limited slot machine licensee’, a veterans’ organization that holds a limited slot machine license for its limited slot machine establishment.

‘Local licensing authority’, the local licensing authority in the city or town in which the limited slot machine establishment is located.

‘Veterans’ organization’, any veterans’ organization that is: (i) incorporated by the Congress of the United States and (ii) included in section 4E of chapter 9.

(b) The commission may issue a limited slot machine license to veterans’ organizations in the commonwealth.

A limited slot machine license shall only be issued to a veterans’ organization that: (i) has been organized and actively functioning as a veterans’ organization for not less

than 5 years prior to being issued a license; (ii) has received the approval of the local licensing authority; and (iii) has been deemed suitable and qualified pursuant to regulations adopted by the commission pursuant to subsection (l).

No limited slot machine license issued to a veterans' organization pursuant to this section shall be transferred or assigned.

(c) A limited slot machine license issued by the commission pursuant to this section may be suspended or revoked at the discretion of the commission or upon written request to the commission by the local licensing authority. The suspension or revocation of a license issued pursuant to this section may be appealed by the limited slot machine licensee to the full commission, and the commission shall hear the appeal on the record. The decision rendered by the commission after the hearing shall be final and the licensee shall not be entitled to further review; provided, however, that in the case of a license revocation, the licensee shall be entitled to reapply for a license not less than 5 years from the date in which the final decision of the commission was issued.

(d) A limited slot machine licensee shall limit the promotion and operation of, and access to, slot machines to members in good standing of the veterans' organization; provided, that no member of the veterans' organization holding a limited slot machine license shall receive remuneration in any form for time or effort devoted to the promotion or operation of the slot machines. No member of the general public shall be permitted access to any slot machine in a limited slot machine establishment.

(e) The profits of any slot machines shall be the property of the limited slot machine licensee, and shall be used for charitable, fraternal or civic purposes, including, but not limited to, veterans' benefits.

(f) A limited slot machine license issued pursuant to this section shall be valid for a period of 5 years. The commission shall establish procedures for application and renewal and may establish a fee for application or renewal not to exceed \$500. Application and renewal fees shall be deposited into the Gaming Revenue Fund established in section 59.

(g) Each licensee shall keep accurate records and books showing: (i) the total amount of all monies deposited by members in good standing of the veterans' organization who played the slot machines located in the limited slot machine establishment; (ii) the expenses incurred; and (iii) the name and address of each person receiving greater than \$100 in winnings in a 24-hour period. A separate checking account shall be kept of receipts and expenditures. Money for expenses shall be withdrawn only by checks having preprinted consecutive numbers and made payable to a specific person or corporation. No check shall be made payable to cash. All monies expended for said charitable, fraternal or civic purposes shall be duly and accurately recorded as to specific amounts expended and the purposes for which said amounts were expended. Proceeds from the operation of the slot machines shall be kept in a separate bank account and the licensee shall file an annual report on or before December 31 of each year of the charitable, fraternal and civic disbursements made during the preceding year with the commission and the local licensing authority in such form as the commission may prescribe. Such annual report shall be a public record. The commission and the local licensing authority, or their duly authorized agents or representatives, shall at all times have access to the limited slot machine establishment, as well as the records and books of any licensee for the purpose of examining and checking the same.

(h) Each licensee shall file a return with the commission, on a form prepared by the commission, and shall pay therewith a tax of 5 per cent of the gross profits derived from the slot machines located in the limited slot machine establishment, which shall be deposited into the Gaming Revenue Fund established in section 59.

(i) No person under 21 years of age shall be permitted in that portion of any building or premises of the licensee during such time as a slot machine is being played.

(j) A limited slot machine establishment shall keep conspicuously posted on their premises a notice containing the following statement: ‘If you or someone you know has a gambling problem and wants help, call the Massachusetts Council on Gaming and Health on the Safer Gaming Education Line at 1-800-426-1234 or the Massachusetts Department of Public Health helpline at 1-800-327-5050.’

(k) Limited slot machine licensees shall only acquire slot machines from a person licensed as a gaming vendor under section 31.

(l) The commission shall, consistent with the public objectives of this chapter established in section 1, promulgate regulations for the implementation, administration and enforcement of this section including, without limitation, regulations that prescribe: (i) the method and form of application which an applicant for licensure shall follow and complete before consideration by the commission; (ii) the information to be furnished by an applicant for a limited slot machine license or for the renewal of a limited slot machine license; (iii) suitability standards for applicants for licensure pursuant to this section; (iv) the criteria for evaluation of the application for a limited slot machine license and qualifications for licensure pursuant to this section; (v) the information to be furnished by a veterans’ organization relating to the members of the veterans’ organization tasked with managing the slot machines; (vi) criteria for eligibility for licensure under this section; (vii) conditions on the operation and control of a limited slot machine establishment; and (viii) grounds and procedures for the revocation or suspension of a limited slot machine license.”.

The amendment was adopted.

Representatives Hill of Ipswich and Ferguson of Holden then moved to amend the bill by inserting after section 1 the following section:

“SECTION 1A. Section 7 of chapter 4 of the General Laws is hereby amended by striking out clause Tenth, as inserted by section 1, and inserting in place thereof the following clause:

Tenth, ‘Illegal gaming’, a banking or percentage game played with cards, dice, tiles, dominoes, or an electronic, electrical or mechanical device or machine for money, property, checks, credit or any representative of value, but excluding: (i) a lottery game conducted by the state lottery commission, under sections 24, 24A and 27 of chapter 10; (ii) a game conducted under chapter 23K; (iii) sports wagering conducted under chapter 23N; (iv) pari-mutuel wagering on horse races under chapters 128A and 128C; (v) a game of bingo conducted under chapter 271; and (vi) charitable gaming conducted under said chapter 271.”;

By inserting after section 4 the following section:

“SECTION 4A. Chapter 128C of the General Laws is hereby amended by inserting the following new section:

Section 9. Notwithstanding sections 1 to 8, inclusive, or any other general or special law to the contrary, no racing meeting licensee, including licensees holding racing meetings in connection with a state or county fair as defined in section 1 of chapter 128A, may simulcast or accept a simulcast wager on greyhound dog racing.”; and

By adding the following section:

“SECTION 24. Section 1A and 4A shall take effect 2 years after the effective date of this act.”.

The amendments were adopted.

Mr. Madaro of Boston then moved to amend the bill in section 16, in line 838, by inserting after the word “year” the following: “; provided, however, that this section shall not apply to use of telephones or other devices or means to place wagers authorized

pursuant to the provisions of section 5C of chapter 128A”; and the amendment was adopted.

Ms. Giannino of Revere then moved to amend the bill in section 4, in lines 72, 73, 119, 120, 244 (as changed by the committee on Bills in the Third Reading) and 245 (as changed by the committee on Bills in the Third Reading) by striking out the year: “2021” and inserting in place thereof, in each instance, the year: “2020”. The amendments were adopted.

Representative Jones of North Reading and other members of the House then moved to amend the bill in section 4, in line 678, by striking out the figures: “30” and inserting in place thereof the figures: “33”; and in line 681 by striking out the figure: “9” and inserting in place thereof the figure: “6”; and the amendments were adopted.

Mr. Hunt of Boston then moved to amend the bill in section 4, in line 254, by inserting after the word “commission.” the following sentence: “Nothing in this chapter shall require a category 3 licensee to partner with or have any commercial relationship with a category 1 or 2 licensee.”. The amendment was adopted.

Representatives Chan of Quincy, González of Springfield and LeBoeuf of Worcester then moved to amend the bill in section 4 by inserting after line 57 the following paragraph:

“‘Breaks’, the odd cents over any multiple of 10 cents of winnings per \$1 wagered.”,

By inserting after line 593 the following paragraph:

“(h) Unclaimed winning sports wagers shall be retained by the operator for the person entitled to the wager for 1 year after the game or event in which the wager was won. If no claim is made for the wager within 1 year, the cash or equivalent cash value of the wager shall be deposited in the Sports Wagering Control Fund established in section 15.”; and

In lines 642 to 651, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the paragraph:

“Section 15. (a) There shall be established and set up on the books of the commonwealth a separate fund to be known as the Sports Wagering Control Fund. The commission shall be the trustee of the fund and shall expend monies to finance operational activities of the commission pertaining to sports wagering. The fund shall be credited with: (i) any appropriation, bond proceeds or other monies authorized by the general court and specifically designated to be credited thereto; (ii) the proceeds of any fees collected pursuant to this section unless otherwise specified; (iii) application processing fees collected pursuant to sections 7 and 8; (iv) breaks; and (v) such additional funds as are subject to the direction and control of the commission. All available monies in the fund that are unexpended at the end of each fiscal year shall not revert to the General Fund and shall be available for expenditure in the subsequent fiscal year.”.

The amendments were adopted.

Mr. Livingstone of Boston then moved to amend the bill by inserting after section 22 the following section:

“SECTION 22A. The Massachusetts Gaming Commission shall study the feasibility of professional sports teams or their designees, or professional sports facilities offering sports wagering through mobile applications or other digital platforms, or in-person at a facility that hosts professional sports in the commonwealth. The study shall include, but shall not be limited to: (i) the ability of professional sports teams or their designee or professional sports facilities to operate sports wagering and to meet qualifications of licensure under chapter 23N of the General Laws; (ii) whether sports wagering must be operated by a professional sports team or their designee, a professional

sports facility or by an independent third party; (iii) the economic, public health and safety impacts to the commonwealth of authorizing sports wagering at a facility that hosts professional sports; (iv) the potential effect of sports wagering at a facility that hosts professional sports and the surrounding community, including, but not limited to: (A) minors; (B) problem gaming or gambling; and (C) the viewer experience at a professional sports event; and (v) any other effects or impacts the commission deems relevant. The commission shall report its findings to the clerks of the house and senate, the house and senate committees on ways and means and the joint committee on economic development and emerging technologies not later than December 31, 2022.”.

The amendment was adopted.

Ms. Sabadosa of Northampton then moved to amend the bill in section 4, in line 181, by inserting after the word “gambling” the words “, including, a requirement that sports wagering operator licensees shall display warnings prominently in person and on mobile applications and digital platforms related to the use of credit cards and cash advances”; and the amendment was adopted.

Pending the question on passing the bill, as amended, to be engrossed, Mr. Michlewitz of Boston asked for a count of the House to ascertain if a quorum was present. The Chair (Ms. Hogan of Stow), 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; and on the roll call (the Speaker having taken the Chair) 160 members were recorded as being in attendance.

Quorum,—
yea and nay
No. 72.

[See [Yea and Nay No. 72](#) in Supplement.]

Therefore a quorum was present.

Representatives Ramos of Springfield, Tyler of Boston and Chan of Quincy then moved to amend the bill in section 4, in lines 757 to 768, inclusive, by striking out the paragraph contained in those lines and inserting in place thereof the following paragraph:

“Section 20. The commission shall conduct a study into the feasibility of allowing retail locations in the commonwealth to operate sports wagering kiosks. The study by the commission shall include, but not be limited to, an analysis of: (i) the economic impact of this chapter on retail establishments that serve alcoholic beverages for on premises consumption, such as restaurants and bars; (ii) which retail locations have the ability to operate a sports wagering kiosk; (iii) the economic impact to the commonwealth of authorizing retail locations to operate a sports wagering kiosk; (iv) the methods and availability of payouts of winnings by a sports wagering kiosks at retail locations; (v) the public health and safety impacts to the commonwealth of authorizing retail locations to operate a sports wagering kiosk; (vi) the potential effect of sports wagering kiosks at retail locations on problem gaming or gambling; (vii) the impact of sports wagering kiosks at retail locations on minors; (viii) the economic impact of authorizing this method of sports wagering on businesses owned by people of color; (ix) the public health and economic impact of this method of sports wagering as an alternative to the current black market, particularly in communities far from authorized in-person sports wagering; and (x) recommendations to ensure diversity, equity and inclusion are included in this method of sports wagering. As part of the study, the commission shall consult retailers, convenience stores, restaurants, women and minority owned businesses and small business owners. The commission shall report on its findings and submit any recommendations to the clerks of the house and senate, the house and senate committees on ways and means, the joint committee on consumer protection and professional licensure and the joint committee on economic development and emerging technologies no later than December 31, 2022.”; and

By inserting after section 22A (inserted by amendment) the following section:

“SECTION 22B. The Massachusetts gaming commission shall conduct a study on the participation by minority business enterprises, women business enterprises and veteran business enterprises in the sports wagering industry in the commonwealth. The study shall include, but not be limited to, an analysis of: (i) participation in activities related to the regulation, licensing and promotion of sports wagering operators; (ii) the level of participation of women, minority and veteran employees working for sports wagering licensees and employers; (iii) the level of participation by minority and women-owned businesses that contract with or provide services to sports wagering licensees and employers; (iv) any barriers to employment of women and minorities in the sports wagering industry; and (v) methods for increasing racial and gender diversity in the workforce in the sports wagering industry, including whether to set reasonable and appropriate goals and procedures for increasing the number of minority business enterprises providing sports wagering industry-related services to sports wagering licensees and employers. The commission shall report on its findings and submit any recommendations to the clerks of the house and senate, the house and senate committees on ways and means, the joint committee on racial equity, civil rights, and inclusion and the joint committee on economic development and emerging technologies no later than July 1, 2022.”.

After remarks on the question on adoption of the amendments, the sense of the House was taken by yeas and nays, at the request of Mr. Ramos; and on the roll call 159 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 73](#) in Supplement.]

[Mr. Rogers of Norwood answered “Present” in response to his name.]

Therefore the amendments were adopted.

Mr. Michlewitz of Boston then moved to amend the bill in section 4, in line 720, by striking out the word “and”; and in line 723, by inserting after the word “programs”, the second time it appears, the following: “and (3) For the purposes of providing matching grants to elementary and secondary youth sports, organizations, clubs and other school groups to attend events including, but not limited to, academic events and programs, cultural events and award ceremonies both nationally and internationally”.

The amendments were adopted.

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. Parisella of Beverly; and on the roll call 156 members voted in the affirmative and 3 in the negative.

[See [Yea and Nay No. 74](#) in Supplement.]

[Mr. Rogers of Norwood answered “Present” in response to his name.]

Therefore the bill (House, No. 3993, published as amended) was passed to be engrossed. Sent to the Senate for concurrence.

The House Bill authorizing the use of Article ninety-seven land for roadway improvements in the town of Dunstable (House, No. 3936), 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. Jones of North Reading; and it was passed to be engrossed. Sent to the Senate for concurrence.

Order.

On motion of Mr. Michlewitz of Boston,—

Amendments adopted,—
yea and nay
No. 73.

Bill passed to be engrossed,—
yea and nay
No. 74.

Dunstable,—
land.

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

Next
sitting.

At twenty-two minutes after six o'clock P.M., on motion of Mrs. Ferguson of Holden (the Speaker being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.