

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



MONDAY, JULY 25, 2022.

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Monday, July 25, 2022.

Met at eight minutes after 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, guests and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Appointment of the Speaker.

The Speaker announced that he had re-appointed (under section 66 of Chapter 3 of the General Laws) Liz Friedman of Northampton as his designee to the Massachusetts Commission on the Status of Women.

Status of
Women.

Resolutions.

Resolutions (filed with the Clerk by Mr. Soter of Bellingham) congratulating Antoinette Trant on receiving the Boston Post Cane Award at one hundred years of age, were referred under Rule 85, to the committee on Rules.

Antoinette
Trant.

Mr. Galvin of Canton, for said committee, reported that the resolutions ought to be adopted. Under suspension of the rules, 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.

Orders.

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

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Sunday, July 31, 2022, within which time to make its final report on current House document numbered 4885.

Election Laws
committee,—
extension
of time for
reporting.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 5072) ought to be adopted. Under suspension of the rules, on motion of Mr. Day of Stoneham, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

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

Ordered, That, notwithstanding the provisions of Joint Rule 10, the committee on Election Laws be granted until Friday, September 30, 2022, within which time to make its final report on current House document numbered 5008.

Id.

Mr. Galvin of Canton, for the committees on Rules, reported that the order (House, No. 5071) ought to be adopted. Under suspension of the rules, on motion of

UNCORRECTED PROOF.

Mr. Day of Stoneham, the order was considered forthwith; and it was adopted. Sent to the Senate for concurrence.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 5081) of Sarah K. Peake (by vote of the town) relative to the charter of the town of Provincetown. To the committee on Municipalities and Regional Government.

Provincetown,—
charter.

By the same member, a petition (accompanied by bill, House, No. 5082) of Sarah K. Peake (by vote of the town) that the town of Provincetown be authorized to continue the employment of Michael Trovato, a member of the fire department of said town. To the committee on Public Service.

Provincetown,—
Michael
Trovato.

By the same member, a petition (accompanied by bill, House, No. 5083) of Sarah K. Peake (by vote of the town) relative to the room occupancy excise in the town of Provincetown. To the committee on Revenue.

Provincetown,—
room
occupancy.

Severally sent to the Senate for concurrence.

Papers from the Senate.

The following order, having been approved by the committees on Rules of the two branches, acting concurrently, came from the Senate with the endorsement that it had been adopted by said branch, as follows:

The Judiciary
committee,—
extension of time
for reporting.

Ordered, That, notwithstanding the provisions of Joint Rule 10, the joint committee on the Judiciary be granted until July 22, 2022 within which time to make its final report on current Senate documents numbered 47, 946, 1035, 1037, 1091, 1133, 2607 and 2791 relative to judiciary matters.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the order (Senate, No. 2986) was considered forthwith.

Pending the question on adoption of the order, in concurrence, Mr. Day of Stoneham moved to amend it in line 2 by striking out the figures: “22” and inserting in place thereof the figures: “29”; and the amendment was adopted.

The order (Senate, No. 2986, amended) then also was adopted. Sent to the Senate for concurrence in the amendment.

Bills

Authorizing the transfer of certain parcels of land in the towns of Templeton, Phillipston and Royalston (Senate, No. 3020) (on a petition);

Templeton,—
land.

Authorizing the conveyance of certain parcels of real estate between the Department of Conservation and Recreation and the town of Holden (Senate, No. 3031) (on Senate bill No. 3028) [Local Approval Received]; and

Holden,—
land.

Authorizing the town of Carver to transfer certain real property, including water wells and a pumping station, to the Cranberry Village Residents Association, Inc. for water supply purposes (Senate, No. 3053) (on Senate bill No. 2959) [Local Approval Received];

Carver,—
property.

Severally passed to be engrossed by the Senate, were read; and they were referred, under Rule 33, to the committee on Ways and Means.

A petition of John C. Velis for legislation to establish a sick leave bank for Deborah Grimm, an employee of the Department of Children and Families, came

Deborah
Grimm,—
sick leave.

from the Senate referred, under suspension of Joint Rule 12, to the committee on Public Service.

The House then concurred with the Senate in the suspension of said rule; and the petition (accompanied by bill, Senate, No. 3054) was referred, in concurrence, to the committee on Public Service.

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 joint petition of Kip A. Diggs and Julian Cyr for legislation to establish a sick leave bank for Julie A. Hall, an employee of the Trial Court. Under suspension of the rules, on motion of Mr. Day of Stoneham, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on the Judiciary. Sent to the Senate for concurrence.

Julie Hall,—
sick leave.

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

Senate bills

Changing the name of the board of selectmen in the town of Goshen to select board (Senate, No. 2513, amended) [Local Approval Received];

Goshen,—
select board.

Further regulating a certain property exemption in the town of Hamilton (Senate, No. 2581) [Local Approval Received];

Hamilton,—
exemption.

Establishing a sick leave bank for Michael D'Ambra, an employee of the Worcester County Sheriff's Office (Senate, No. 2965); and

Michael
D'Ambra.

Authorizing the town of Middleborough to convey a certain parcel of conservation land (Senate, No. 3029) [Local Approval Received]; and

Middleborough,—
land.

House bills

Authorizing the elimination of the appointed tax collector/town clerk/treasurer in the town of Deerfield and the creation of an appointed town clerk and an appointed town treasurer-collector (House, No. 4846) [Local Approval Received]; and

Deerfield,—
positions.

To modernize participation in public meetings (House, No. 5031);

Public meetings.

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 Mr. Lawn of Watertown, for the committee on Health Care Financing, on Senate, No. 1285 and House, No. 2066, a Bill ensuring access to addiction services (House, No. 5018) [Cost: Greater than \$100,000.00]. Read; and referred, under Rule 33, to the committee on Ways and Means.

Addiction
services.

By Mr. Cusack of Braintree, for the committee on Revenue, on Senate, No. 1827 and House, No. 2883, a Bill excluding student loan forgiveness from taxable income for permanently and totally disabled veterans (House, No. 2883).

Disabled
veterans,—
student loans.

By the same member, for the same committee, on Senate, No. 1984 and House, No. 2959, a Bill relative to the taxation of rolling stock (House, No. 2959).

Taxation,—
rolling stock.

By the same member, for the same committee, on Senate, Nos. 1798, 1799 and 1832 and House, No. 3044, a Bill relative to sales tax exemption (House, No. 3044).

Electric
vehicles,—
sales tax.

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

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By Mr. Ryan of Boston, for the committee on Election Laws, on a petition, a Bill authorizing the town of Lexington to allow remote participation at town meetings (House, No. 4876) [Local Approval Received].

Lexington,—
remote
participation.

By the same member, for the same committee, on a petition, a Bill authorizing remote participation at town meetings in the town of Wayland (House, No. 4985) [Local Approval Received].

Wayland,—
remote
participation.

Mr. Arciero of Westford, for the committee on Housing, on a joint petition, a Bill to prohibit landlords and brokers from requiring broker's commissions to be paid by a tenant or prospective tenant (House, No. 4886) [Local Approval Received] [Representative DeCoste of Norwell dissenting].

Northampton,—
landlords and
brokers.

By Mr. Tucker of Salem, for the committee on Municipalities and Regional Government, on a petition, a Bill providing for tenant member appointment to the board of the Needham Housing Authority (House, No. 4964) [Local Approval Received].

Needham
Housing
Authority.

By the same member, for the same committee, on a joint petition, a Bill establishing the North Bedford Street sewer district in the town of East Bridgewater (House, No. 4971) [Local Approval Received].

East
Bridgewater,—
sewer district.

By the same member, for the same committee, on a joint petition, a Bill relative to the procedure for municipal acceptance of subdivision roads in the town of East Bridgewater (House, No. 4972) [Local Approval Received].

East
Bridgewater,—
roads.

By the same member, for the same committee, on a petition, a Bill amending the charter of the town of Marshfield (House, No. 4987) [Local Approval Received].

Marshfield,—
select board.

By the same member, for the same committee, on a petition, a Bill to amend the Williamstown town charter by making all gender references therein gender neutral (House, No. 4994) [Local Approval Received].

Williamstown,—
gender
references.

By the same member, for the same committee, on a petition, a Bill to amend the town of Williamstown home rule charter (House, No. 4995) [Local Approval Received].

Williamstown,—
town manager.

By the same member, for the same committee, on a petition, a Bill authorizing the town of Acton to adopt alternative methods for notice of public hearings (House, No. 5013) [Local Approval Received].

Acton,—
public
hearings.

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 4888, a Bill authorizing the town of Hancock to allow firefighters and police to continue serving past age 65 (House, No. 5077) [Local Approval Received].

Hancock,—
public safety
officers.

By Mr. Cusack of Braintree, for the committee on Revenue, on a petition, a Bill relative to property tax deferrals for seniors (House, No. 3036).

Seniors,—
property tax.

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

By Mr. Ryan of Boston, for the committee on Election Laws, on a joint petition, a Bill relative to representative town meeting in the town of Plymouth (House, No. 4988) [Local Approval Received].

Plymouth,—
town
meetings.

By Mr. Arciero of Westford, for the committee on Housing, on a petition, a Bill relative to certain affordable housing in the city of Worcester (House, No. 4850) [Local Approval Received] [Representative DeCoste of Norwell dissenting].

Worcester,—
affordable
housing.

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

Mr. Honan of Boston, for said committee, reported that the matters be scheduled for consideration by the House.

Severally placed in the Orders of the Day for the next sitting for a second reading.

UNCORRECTED PROOF.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the Senate Bill designating the Quabbin Visitor Center in the town of Belchertown as the Les and Terry Campbell Quabbin visitor center (Senate, No. 544), be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Quabbin
Visitor
Center.

A report of the committee on Steering, Policy and Scheduling, under the last sentence of Rule 7A, that the House Bill authorizing the city of Salem to enact a condominium conversion ordinance fee for buildings containing two or more residential units (House, No. 4453) [Local Approval Received], be scheduled for consideration by the House. Placed in the Orders of the Day for the next sitting for a second reading.

Salem,—
ordinance
fee.

Emergency Measures.

The engrossed Bill authorizing the commissioner of Capital Asset Management and Maintenance to convey a parcel of land to the town of Brewster (see House, No. 4901, amended), 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.

Brewster,—
land.

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 3 to 0. Sent to the Senate for concurrence.

The engrossed Bill financing the general governmental infrastructure of the Commonwealth (see House, No. 5065), 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.

Infrastructure
bond 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 2 to 0. Sent to the Senate for concurrence.

Orders of the Day.

The House Bill relative to fire safety (House, No. 2517), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time; and it was passed to be engrossed. Sent to the Senate for concurrence.

Third
reading
bill.

The Senate Bill changing the name of the board of selectmen in the town of Newbury to the select board (Senate, No. 2875); and

Second
reading
bills.

The House Bill relative to the amendment of section 2-1(a) and section 7-4 of the home rule charter of the city of Methuen (House, No. 4690);

Severally were read a second time; and they were ordered to a third reading.

The House Bill confirming Commercial Wharf East Condominium Association present uses as authorized by the Downtown Waterfront-Faneuil Hall Urban Renewal Plan and Chapter 663 of the Acts of 1964 and Chapter 310 of the Acts of 1972 and

Commercial

UNCORRECTED PROOF.

preventing residents from being forced to sell their property and leave (House, No. 3720) was read a second time; and it was ordered to a third reading.

Wharf East
Condominium
Association.

Subsequently, under suspension of the rules, on motion of Mr. Wong of Saugus, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third time.

Pending the question on passing the bill to be engrossed, Mr. Michlewitz of Boston moved to amend it by substitution of a Bill confirming and authorizing Commercial Wharf East Condominium Association's uses and structures located on private tidelands (House, No. 5080), which was read.

The amendment was adopted; and the substituted bill was passed to be engrossed. Sent to the Senate for concurrence.

Recess.

At twenty-eight minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House recessed subject to the call of the Chair; and at sixteen minutes after twelve o'clock noon the House was called to order with Mr. Garballey in the Chair.

Recess.

Papers from the Senate.

The House Bill relating to economic growth and relief for the Commonwealth (House, No. 5034), 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 3030.

Economic
growth.

Under suspension of the rules, on motion of Mr. Wong of Saugus, the amendment was considered forthwith. The House then non-concurred with the Senate in its amendment; and, on further motion of Mr. Michlewitz of Boston, asked for a committee of conference on the disagreeing votes of the two branches. Representatives Michlewitz, Cusack of Braintree and Soter of Bellingham were appointed the committee on the part of the House. Sent to the Senate to be joined.

Committee
of conference.

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 Rodrigues, Lesser and O'Connor had been joined as the committee on the part of the Senate.

Id.

Reports of Committees.

Mr. Michlewitz of Boston, for the committee of conference on the disagreeing votes of the two branches, with reference to the Senate amendments (striking out all after the enacting clause and inserting in place thereof the text contained in Senate document numbered 3003; striking out the emergency preamble and inserting in place thereof the following emergency preamble:

Reproductive
rights.

“Whereas, the deferred operation of this act would tend to defeat its purpose, which is to expand protections for reproductive and gender-affirming care, therefore it is hereby declared to be an emergency law, necessary for the immediate preservation of the public convenience.”; and striking out the title and inserting in place thereof the following title: “An Act expanding protections for reproductive and gender-affirming care.”) of the House Bill expanding protections for reproductive rights (House, No. 4954), reported, a Bill expanding protections for reproductive and

UNCORRECTED PROOF.

gender-affirming care (House, No. 5090). 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; and, under said rule, it was placed in the Orders of the Day for the next sitting, the question, being on acceptance.

A report of the committee on Telecommunications, Utilities and Energy, ought NOT to pass (under Joint Rule 10), on the petition (accompanied by bill, House, No. 3306) of Sean Garballey and others relative to improving outdoor lighting and increasing dark-sky visibility, was considered forthwith, under suspension of the rules, on motion of Mr. Wong of Saugus.

Dark-sky
visibility.

Mr. Roy of Franklin then moved that the report be amended by substitution of a Bill to improve outdoor lighting, conserve energy, and increase dark-sky visibility (House, No. 5079), which was read.

The amendment was adopted; and the substituted bill, was referred, under Rule 33, to the committee on Ways and Means.

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 twenty-two minutes before one o'clock P.M., on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following day at eleven o'clock A.M.