
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, AUGUST 5, 2021.

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JOURNAL OF THE HOUSE.

Thursday, August 5, 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.

Silent Prayer.

At the request of Representatives Nguyen of Andover and Moran of Lawrence, the members and employees stood in a moment of silent tribute to the memory of Thomas Patrick Middleton, a resident of Andover, who passed away peacefully at the age of 90, at his home following a short illness on Tuesday, July 27th with his sons, daughter, son-in-law, and granddaughters at his side. Born in Lowell, Massachusetts, he was the son of Frances (Ivis) and Albert Middleton. Raised in Andover, Tom was a member of St. Augustine Church and was educated at St. Augustine School and Central Catholic High School. He enlisted in the Navy shortly after high school where he trained to be an Aviation Electronics Technician. A veteran of the Korean War, Tom served as a flight radar operator performing search and rescue, reconnaissance, and anti-submarine patrols in the Sea of Japan and along the coasts of China and North Korea. Following his military service, Tom worked for Western Electric and later the Burroughs Corporation/UNISYS for 33 years managing large mainframe installations for the military and other government agencies. He was an avid, lifetime golfer, a lover of swing, big band, and jazz music, and an adoring grandfather.

Andover,—
Thomas
Middleton.

He was predeceased by his wife of 37 years Mary Frances (Melia) Middleton and his sister Janet A. (Middleton) Hartigan. Survived by his children Thomas A. Middleton of Melrose, Susan K. and David O. McCready of Andover, and Laurence E. Middleton of Bradford; granddaughters Amelia M. Middleton and Kathryn M. McCready; sister Sr. Margaret Middleton, S.N.D. of Ipswich; brother Albert W. and Margaret Middleton, Jr. of Gales Ferry, Connecticut; long-time companion Jeanne H. Tellier and family; and nieces, nephews, and cousins.

Messages from the Governor — Vetoes.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the water supply protection trust [see House, No. 4005] (for message, see House, No. 4047) was filed in the Office of the Clerk on Tuesday, August 3.

Water supply
protection
trust.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to post-retirement employment of public retirees [see House, No. 4007] (for message, see House, No. 4048) was filed in the Office of the Clerk on Tuesday, August 3.

Public
retirees,—
employment.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill repealing certain tax expenditures [see House, No. 4008] (for message, see House, No. 4049) was filed in the Office of the Clerk on Tuesday, August 3.

Tax
expenditures.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to the taxation of pass-through entities [see House, No. 4009] (for message, see House, No. 4050) was filed in the Office of the Clerk on Tuesday, August 3.

Pass-through
entities,—
taxation.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to parking fees on department of conservation and recreation roads [see House, No. 4010] (for message, see House, No. 4051) was filed in the Office of the Clerk on Tuesday, August 3.

DCR,—
parking fees.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to eligibility for emergency assistance to elderly, disabled residents and children [see House, No. 4011] (for message, see House, No. 4052) was filed in the Office of the Clerk on Tuesday, August 3.

Emergency
assistance,—
eligibility.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill relative to eligibility for transitional aid to families with dependent children [see House, No. 4012] (for message, see House, No. 4053) was filed in the Office of the Clerk on Tuesday, August 3.

Transitional
aid,—
eligibility.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill providing operating assistance to regional transit

Regional
transit
authorities.

authorities [see House, No. 4014] (for message, see House, No. 4054) was filed in the Office of the Clerk on Tuesday, August 3.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing a special legislative commission to study poverty in the Commonwealth [see House, No. 4016] (for message, see House, No. 4055) was filed in the Office of the Clerk on Tuesday, August 3.

Poverty,—
commission.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

A message from His Excellency the Governor returning with his objections thereto in writing the engrossed Bill establishing a higher education affordability task force [see House, No. 4018] (for message, see House, No. 4056) was filed in the Office of the Clerk on Tuesday, August 3.

Higher
education,—
task force.

The message was read; and, under House Rule 12, it was placed in the Orders of the Day for the next session, the question being on passing said bill, notwithstanding the said objections.

Resolutions.

Resolutions (filed with the Clerk by Mr. McMurtry of Dedham) congratulating Harry James Murphy on receiving the Eagle Scout Award from the Boy Scouts of America, were referred under Rule 85, to the committee on Rules.

Harry
Murphy.

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.

Petitions.

Petitions severally were presented and referred as follows:

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4058) of Sarah K. Peake and Julian Cyr (by vote of the town) relative to the appropriation and expenditure of community preservation funds for community housing purposes in the town of Chatham; and

Chatham,—
funds.

By the same member, a petition (accompanied by bill, House, No. 4059) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Chatham be authorized to establish a housing trust fund in said town;

Chatham,—
housing trust
fund.

Severally to the committee on Housing.

By Ms. Peake of Provincetown, a petition (accompanied by bill, House, No. 4060) of Sarah K. Peake and Julian Cyr (by vote of the town) that the town of Chatham be authorized to establish a real property transfer fee in said town. To the committee on Revenue.

Chatham,—
transfer fee.

Severally sent to the Senate for concurrence.

The following additional petitions (having been deposited in the office of the Clerk of the House, previously to five o'clock in the afternoon on Friday, February 19, 2021) were referred, under Rule 24 and Joint Rule 13, as follows:

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 4046) of Mike Connolly relative to local approval of inclusionary zoning; and

Inclusionary zoning.

By the same member, a petition (accompanied by bill, House, No. 4057) of Mike Connolly and Nika C. Elugardo relative to local approval of condominium conversion ordinances.

Condominium ordinances.

Severally to the committee on Municipalities and Regional Government.

By Mr. Connolly of Cambridge, a petition (accompanied by bill, House, No. 4025) of Mike Connolly, Michelle M. DuBois and Nika C. Elugardo for legislation to establish a task force (including members of the General Court) to study and make actionable recommendations regarding public ownership of public utilities. To the committee on Telecommunications, Utilities and Energy.

Public utilities,—ownership.

Severally sent to the Senate for concurrence.

Petitions severally were presented and referred as follows:

By Ms. Dykema of Holliston (by request), a petition (subject to Joint Rule 12) of Robert Firnstein for legislation to reduce delinquent municipal tax interest rates.

Municipal tax interest.

By Representative Fernandes of Falmouth and Senator Cyr, a joint petition (subject to Joint Rule 12) of Dylan A. Fernandes for legislation to establish a blue communities program to incentivize local action to reduce nutrient pollution and ocean acidification.

Blue communities program.

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

Papers from the Senate.

Bills

Amending the charter of the city of Amesbury to increase the term of the mayor to 4 years (Senate, No. 2449) (on a petition) [Local Approval Received]; and

Amesbury,—mayor.

Amending the charter of the city of Amesbury relative to the position of school committee chair (Senate, No. 2450) (on a petition) [Local Approval Received];

Amesbury,—school committee.

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.

Petitions were referred, in concurrence, as follows:

Petition (accompanied by bill, Senate, No. 2504) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises;

Wareham,—liquor license.

Petition (accompanied by bill, Senate, No. 2506) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to grant an additional license for the sale of all alcoholic beverages to be drunk on the premises; and

Id.

Petition (accompanied by bill, Senate, No. 2507) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to grant 5 additional licenses for the sale of all alcoholic beverages to be drunk on the premises;

Id.

Severally to the committee on Consumer Protection and Professional Licensure.

Petition (accompanied by bill, Senate, No. 2505) of Marc R. Pacheco and Susan Williams Gifford (by vote of the town) for legislation to authorize the town of Wareham to assess certain solar or wind systems as personal property. To the committee on Revenue.

Wareham,—
assessments.

Reports of Committees.

By Mr. Galvin of Canton, for the committee on Rules, that Joint Rule 7B be suspended on the petition of Carolyn C. Dykema (by vote of the town) relative to amending the charter of the town of Hopkinton to change the name of the board of selectmen to select board. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 7B was suspended; and the petition (accompanied by bill) was referred to the committee on Municipalities and Regional Government. Sent to the Senate for concurrence.

Hopkinton,—
charter.

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 Kimberly N. Ferguson, Anne M. Gobi and others relative to municipal light plant emergency mutual aid. Under suspension of the rules, on motion of Mr. Wong of Saugus, the report was considered forthwith. Joint Rule 12 was suspended; and the petition (accompanied by bill) was referred to the committee on Telecommunications, Utilities and Energy. Sent to the Senate for concurrence.

Municipal
light plants,—
emergency
mutual aid.

By Mr. Day of Stoneham, for the committee on the Judiciary, asking to be discharged from further consideration

Of the petition (accompanied by bill, House, No. 1668) of Steven S. Howitt and Norman J. Orrall relative to illegally disposing of certain waste,— and recommending that the same be referred to the committee on Environment, Natural Resources and Agriculture.

Waste
disposal.

Of the petition (accompanied by bill, House, No. 1838) of Angelo J. Puppolo, Jr., and others for legislation to provide special line-of-duty death benefits to public safety officers,— and recommending that the same be referred to the committee on Public Service.

Public safety,—
death benefits.

Of the petition (accompanied by bill, House, No. 1493) of Tackey Chan, Michelle M. DuBois and Daniel Cahill relative to making Presidential election days state holidays,— and recommending that the same be referred to the committee on State Administration and Regulatory Oversight.

Election day,—
state holiday.

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

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:

Relative to special regulations for vehicle specific checkpoints (House, No. 3447);

Vehicle
checkpoints.

Relative to the design, development, construction and operation of a senior low-income and affordable housing project located at 144 Greenmont Avenue in the town of Dracut (House, No. 3722) [Local Approval Received]; and

Dracut,—
affordable
housing.

Further regulating certain affordable housing in Ipswich, Massachusetts (House, No. 3809) [Local Approval Received];

Ipswich,—
affordable
housing.

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. Chan of Quincy, for the committee on Consumer Protection and Professional Licensure, on a petition, a Bill relative to licensure simplification (House, No. 345).

Licensure simplification.

By the same member, for the same committee, on House, No. 941, a Bill relative to regulating the septic industry (House, No. 4063).

Septic industry.

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

By Mr. Gordon of Bedford, for the committee on Public Service, on House, No. 3992, a Bill establishing a sick leave bank for Tara Blodgett (House, No. 4064). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

Tara Blodgett,— sick leave.

Orders of the Day.

House bills

Authorizing the town of Lancaster to continue the employment of Maurice Bateman (House, No. 3760) (its title having been changed by the committee on Bills in the Third Reading);

Third reading bills.

Authorizing the town of Lancaster to continue the employment of Kevin Lamb (House, No. 3761) (its title having been changed by the committee on Bills in the Third Reading);

Authorizing the town of Webster to grant additional liquor licenses (House, No. 3898); and

Establishing a sick leave bank for Julie DeRosa, an employee of the Department of Mental Health (House, No. 3915);

Severally reported by the committee on Bills in the Third Reading to be correctly drawn, were read a third time; and they were passed to be engrossed. Severally 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 on Monday next at eleven o'clock A.M.

Next sitting.

At twenty minutes after eleven o'clock A.M., on motion of Mr. Wong of Saugus (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M., in an Informal Session.