

The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



TUESDAY, NOVEMBER 16, 2021.

[113]*

JOURNAL OF THE HOUSE.

Tuesday, November 16, 2021.

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 and employees joined with him in reciting the pledge of allegiance to the flag.

Pledge of
allegiance.

Silent Tributes.

During the session, the Chair (Ms. Hogan of Stow), declared a brief recess; and at the request of Mr. Lewis of Framingham, the members and employees stood in a moment of silence in respect to the memory of Bernard "Bernie" Kane, 94, of Ashland, who passed away on Wednesday, October 27, 2021. Bernie was indisputably one of Ashland's most dedicated volunteers and celebrated residents. A sergeant in the Army Air Corps in the Pacific Theater of Operations in WWII, Bernie served his country with honor and valor.

Bernard
"Bernie"
Kane.

The faithful husband of Marie Kane for 66 years, Bernie devoted his life to his nine children, twenty-eight grandchildren, twenty-three great-grandchildren, and the community he loved. Celebrated as the "Ashland Citizen of the Year" in 1987, Bernie helped found the Framingham Little League and served 65 years in the Framingham Lodge of Elks. He is widely remembered for his steadfast advocacy surrounding the Nyanza Superfund Site. Because of his persistence, the Department of Public Health investigated the health impacts that touched his and so many other families and began the process of ensuring that no other families would be harmed.

In addition to his wife Marie, Bernie is survived by his five daughters: Kathleen Morse-Villa (John), Lisa Wisel (Danny), Maureen Rice (Steve), Kelly Lacasse (Pete), Maribeth Rabidou (John); three sons: Chris Kane (Martha), Tim Kane (Lori), Mike Kane (Tricia). Bernie is predeceased by his son, Kevin Paul Kane, who passed away in 1998.

During the session, the Chair (Ms. Hogan of Stow), declared a brief recess; and at the request of Mr. Lombardo of Billerica, the members and employees stood in a moment of silence in respect to the memory of Patrick Corbett who passed away this morning.

Patrick
Corbett.

Patrick was a life-long Billerica resident, an Iraq War Veteran, and Billerica Firefighter. Patrick was the devoted husband of Lauren, and father of Reid, Will, Faye, and Naill. Patrick was truly a brave man in all he did - from his service as a Marine, to his service to the residents of Billerica as a firefighter, to his years of battling cancer.

He was a hero to all who knew him and he will be greatly missed by his family and friends.

Communications.

Communications

From the Department of Youth Services (see Section 16 of Chapter 123A of the General Laws) relative to sexually dangerous persons in the custody of the department during fiscal year 2021 [copies of said report were forwarded to the committee on Ways and Means and the committee on the Judiciary, as required by said law]; and

Sexually dangerous persons.

From the Plymouth County Registry of Deeds (see Section 2KKK of Chapter 29 of the General Laws) submitting its plan for expenditure for technological improvements from the County Registers Technological Fund [copies of said report were forwarded to the committee on Ways and Means and the committee on Post Audit and Oversight, as required by said law];

Plymouth County,—
technology.

Severally were placed on file.

Petitions.

Petitions severally were presented and referred as follows:

By Mr. Howitt of Seekonk, a petition (subject to Joint Rule 12) of Steven S. Howitt relative to protests or demonstrations within 100 yards of the residences of elected officials.

Elected officials,—
protests.

By Ms. Peisch of Wellesley, a petition (subject to Joint Rule 12) of Alice Hanlon Peisch relative to licenses for hawkers and peddlers.

Hawkers,—
licensing.

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

Recesses.

At seventeen 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 until one o'clock P.M.; and at six minutes after one o'clock the House was called to order with Mr. Garballey in the Chair.

Recesses.

The House thereupon took a further recess, on motion of Mr. Vieira of Falmouth, until a half past two o'clock P.M.; and at five minutes after three o'clock the House was called to order with Ms. Hogan of Stow in the Chair.

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. 115.

[See [Yea and Nay No. 115](#) in Supplement.]

Therefore a quorum was present.

Interim Reports.

An interim report of the joint special committee established (under House order No. 66 of 2021) to make an investigation and study of a new division of the Commonwealth into Congressional districts, forty Senatorial districts, eight

Redistricting,—
Congressional districts.

Councillor districts and one hundred and sixty Representative districts (House, No. 4256) [Senator Cyr dissenting], was referred to the committee on Rules.

Subsequently Mr. Galvin of Canton, for said committee, reported on the foregoing special report, a Bill establishing Congressional districts (printed in House, No. 4256). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Moran of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

An interim report of the joint special committee established (under House order No. 66 of 2021) to make an investigation and study of a new division of the Commonwealth into Congressional districts, forty Senatorial districts, eight Councillor districts and one hundred and sixty Representative districts (House, No. 4257), was referred to the committee on Rules.

Redistricting,—
Councillor
districts.

Subsequently Mr. Galvin of Canton, for said committee, reported on the foregoing special report, a Bill establishing Councillor districts (printed in House, No. 4257). Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of Mr. Moran of Boston, the bill was read a second time forthwith; and it was ordered to a third reading.

Orders of the Day.

House bills

Authorizing the Massachusetts Water Resources Authority to release easements upon certain real property in the town of Canton (House, No. 4250);

Authorizing the Division of Capital Asset Management and Maintenance to convey a certain easement in the town of Savoy (House, No. 4251); and

Authorizing the Commonwealth of Massachusetts to convey a certain parcel of land to the Claremont Realty Trust in the city of Framingham (House, No. 4252);

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.

Third
reading
bills.

Prior to the noon recess (Mr. Garballey of Arlington being in the Chair),— The House Bill authorizing the transfer of certain land in the towns of Lee and Lenox to Edith Wharton Restoration, Inc. (House, No. 4215), was read a second time; and it was ordered to a third reading.

Lee and
Lenox,—
land.

Subsequently, the noon recess having terminated, under suspension of the rules, on motion of Mr. Pignatelli of Lenox (Ms. Hogan of Stow being in the Chair), the bill (having been 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.

Mr. Garballey of Arlington being in the Chair,—
House bills

UNCORRECTED PROOF.

Creating a maximum allowable check-cashing rate (House, No. 417);
Relative to investment of certain trust funds in the town of Weston (House, No. 3894);

Second
reading
bills.

Authorizing the town of Swansea to enter into a lease agreement for Medeiros Farm (House, No. 4197);

Establishing a select board in the town of Bolton (House, No. 4198);

Relative to the membership of the Historic District Commission of the town of Sudbury (House, No. 4216); and

Regarding licenses for the sale of alcoholic beverages to be drunk on the premises in the town of Tisbury (House, No. 4240);

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

The Senate Bill concerning genocide education (Senate, No. 2557, amended), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Genocide
education.

After debate on the question on passing the bill, as amended, to be engrossed, in concurrence, the sense of the House was taken by yeas and nays at the request of Ms. Peisch of Wellesley; and on the roll call 157 members voted in the affirmative and 2 in the negative.

Bill passed to be
engrossed,— yea
and nay No. 116.

[See [Yea and Nay No. 116](#) in Supplement.]

Therefore the bill (Senate, No. 2557, amended) was passed to be engrossed, in concurrence. Sent to the Senate for concurrence in the amendment.

The House Bill amending the charter of the town of Medway (House, No. 3899), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Medway,—
charter.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by substitution of a bill with the same title (House, No. 4259), which was read.

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

The House Bill authorizing the town of Wellesley to grant certain licenses for the sale of alcoholic beverages (House, No. 4115), reported by the committee on Bills in the Third Reading to be correctly drawn, was read a third time.

Wellesley,—
liquor
licenses.

Pending the question on passing the bill to be engrossed, Ms. Garlick of Needham moved to amend it by substitution of a bill with the same title (House, No. 4260), which was read.

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

Recess.

At two minutes after four o'clock P.M. (Tuesday, November 16), on motion of Mr. Jones of North Reading (Ms. Hogan of Stow being in the Chair), the House recessed until the following day at eleven o'clock A.M.; and at two minutes after eleven o'clock the House was called to order with Mr. Garballey in the Chair.

Recess.