
The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.



THURSDAY, JULY 27, 2023.

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JOURNAL OF THE HOUSE.

Thursday, July 27, 2023.

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

Pledge of
allegiance.

Silent Tributes.

During the session, Ms. Garlick of Needham took the Chair, and, at her request, the members, guests and employees stood in a moment of silent tribute in respect to the memory of Needham resident Edward de Lemos.

Edward
de Lemos.

At the age of 88 Ed de Lemos died having lived a full life and loving his wife Carol, 4 daughters and 10 grandchildren. A resident of Needham for more than five decades, he was an integral part of the community. In leadership, the Needham Historical Society, in reverence and joy as a tenor in St. Joseph's choir for more than 40 years, and in active participation in community organizations and civic events. Ed was a man of keen intellect, with well-informed and passionate opinions and considerable skills in debate. Ed cared deeply about the past, present, and future issues and concerns that impacted his family, community, country, and world. Through his thoughts, words and actions, Ed worked for a better world every day.

During the session, the Chair (Ms. Hogan of Stow) declared a brief recess, and at the request of Speaker Mariano of Quincy, and Representatives Michael J. Moran of Boston, Ultrino of Malden, Donato of Medford and Lipper-Garabedian of Melrose, the members, guests, and employees stood in a moment of silent tribute in respect to the memory of Joanne Croken.

State House
Ranger Joanne
Croken.

For the past 30 years, Joanne served as a State House Ranger and was an integral part of our State House Community. Joanne's outgoing personality and warm receptiveness proved contagious for every legislator, staff member, or visitor who walked through the State House doors. Her willingness to always lend a helping hand and her kindness will be truly missed by this body. Our thoughts and prayers go out to Joanne's family during this difficult time.

Message from the Governor.

Ms. Hogan of Stow being in the Chair,—

Subsequent to the noon recess,— A message from Her Excellency the Governor submitting requests making certain appropriations for fiscal year 2024 before final action on the General Appropriation Bill (House, No. 4022), was filed in the office of the Clerk during today's sitting.

State funds,—
emergency
expenditures.

The message was read; and it was referred, under Rule 30, with the accompanying draft of a bill, to the committee on Ways and Means.

Subsequently (Mr. Garballey of Arlington being in the Chair), Mr. Michlewitz of Boston, for said committee, reported on the forgoing message, a Bill making certain appropriations for the fiscal year 2024 before final action on the General Appropriation Bill (printed in House, No. 4022) [Total Appropriations: \$6,000,000,000.00]. Read; and referred, under Rule 7A, to the committee on Steering, Policy and Scheduling.

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

Under suspension of the rules, on motion of the Ms. Peake of Provincetown, the bill was read a second time forthwith; and it was ordered to a third reading.

Subsequently, under further suspension of the rules, on motion of Mr. Michlewitz of Boston, the bill (having been reported by the committee on Bills in the Third Reading to be correctly drawn) was read a third; and it was passed to be engrossed. Sent to the Senate for concurrence

Statement Concerning Representative Nguyen of Andover.

A statement of Ms. Peisch of Wellesley concerning Ms. Nguyen of Andover was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that one of our colleagues, Ms. Nguyen of Andover, was called away from formal session today due to official business elsewhere. Had she been present for today's votes she would have voted in the following manner:

Roll Call #28 and Roll Call #29 on the Adoption and Enactment, respectively, of Conference Committee Report H.4013, An Act financing improvements to municipal roads and bridges – YES

Her missing of today's roll calls was due entirely due to the reason stated.

Statement concerning Ms. Nguyen of Andover.

Report.

A report of the Inspector General of the Commonwealth (under Section 196 of Chapter 46 of the Acts of 2015) submitting a review of the MBTA's In-Station Customer Service Contract with Block by Block, was placed on file.

MBTA,—management contracts.

Petitions.

Representatives Finn of West Springfield and Boldyga of Southwick presented a petition (accompanied by bill, House, No. 4023) of Michael J. Finn and Nicholas A. Boldyga (by vote of the town) that the city known as the town of Agawam be authorized to change the timing of preliminary elections in said town to eight weeks preceding regular elections; and the same was referred to the committee on Election Laws. Sent to the Senate for concurrence.

Agawam,—preliminary elections.

Representative Driscoll of Milton presented a petition (subject to Joint Rule 12) of William J. Driscoll, Jr., and Walter F. Timilty (with the approval of the town council) relative to the preparation of bilingual ballots in English and Haitian Creole for state elections in the city known as the town of Randolph; and the same was referred, under Rule 24, to the committee on Rules.

Randolph,—bilingual ballots.

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 James J. O'Day and Robyn K. Kennedy for legislation to establish a sick leave bank for Paul Verdini, an employee of the Department of Correction. To the committee on Public Service.

Paul Verdini,—
sick leave.

Petition (accompanied by bill) of Marcus S. Vaughn relative to the definition of beverage under the "bottle bill", so-called. To the committee on Telecommunications, Utilities and Energy.

Bottle bill,—
beverages.

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

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the House Bill establishing a sick leave bank for Kimberly Riggins, an employee of the Department of Correction (House, No. 4006), be scheduled for consideration by the House.

Kimberly
Riggins,—
sick leave.

Under suspension of Rule 7A, on motion of Ms. Garlick of Needham, the bill was read a second time forthwith; and it was ordered to a third reading.

Engrossed Bill.

The engrossed Bill authorizing the town of Rochester to grant an additional license for the sale of all alcoholic beverages not to be drunk on the premises (see House, No. 393) (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; and it was signed by the acting Speaker and sent to the Senate.

Bill
enacted.

Recess.

At ten minutes after eleven o'clock A.M., on motion of Ms. Ferguson of Holden (Mr. Donato of Medford being in the Chair), the House recessed until one o'clock P.M.; and at nine minutes after one o'clock, the House was called to order with Ms. Hogan of Stow in the Chair.

Recess.

Report of a Committee.

By Mr. Honan of Boston, for the committee on Steering, Policy and Scheduling, that the report of 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 2375) of the House Bill financing improvements to municipal roads and bridges (House, No. 3547),— recommending passage of a bill with the same title (House, No. 4013),— be scheduled for consideration by the House.

Municipal
roads and
bridges.

Under suspension of Rule 7A, on motion of Mr. Straus of Mattapoisett, the bill was considered forthwith.

After debate on the question on acceptance of the report, the sense of the House was taken by yeas and nays, at the request of the same member; and on the roll call 156 members voted in the affirmative and 0 in the negative.

[See [Yea and Nay No. 28 in Supplement.](#)]

Therefore the report of the committee of conference was accepted. Sent to the Senate for concurrence.

Subsequently a statement of Mr. Mom of Lowell was spread upon the records of the House, as follows:

MR. SPEAKER: I would like to call to the attention of the House the fact that on the previous roll call I was absent from the House Chamber on official business in my district. Had I been present I would have voted in the affirmative.

Conference committee report accepted,—yea and nay No. 28.

Statement of Mr. Mom of Lowell.

Recess.

There being no objection, at seven minutes before two o'clock P.M., the Chair (Ms. Hogan of Stow) declared a recess, subject to the call of the Chair; and at seventeen minutes before three o'clock, the House was called to order with Ms. Hogan in the Chair.

Recess.

Emergency Measure.

The engrossed Bill financing improvements to municipal roads and bridges (House, No. 4013), 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.

Municipal roads and bridges.

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 42 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.

On the question on passing the bill to be enacted, the sense of the House was taken by yeas and nays (this being a "loan" bill as defined by Section 3 of Article LXII of the Amendments to the Constitution); and on the roll call 157 members voted in the affirmative and 0 in the negative.

Bill enacted (state loan),—yea and nay No. 29.

[See [Yea and Nay No. 29 in Supplement.](#)]

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

Recess.

There being no objection, at nineteen minutes after three o'clock P.M., the Chair (Ms. Hogan of Stow) declared a recess, subject to the call of the Chair; and at seventeen minutes after four o'clock, the House was called to order with Mr. Garballey of Arlington in the Chair.

Recess.

Engrossed Bill.

The engrossed Bill making certain appropriations for the fiscal year 2024 before final action on the General Appropriations Bill (see House bill printed in House, No.

Bill enacted.

4022) (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; and it was signed by the acting Speaker and sent to the Senate.

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.

Ms. Ferguson of Holden then moved that the House adjourn; and the motion prevailed. Accordingly, without proceeding to consideration of the matters in the Orders of the Day, at eleven minutes before five o'clock P.M. (Mr. Garballey of Arlington being in the Chair), the House adjourned, to meet the following Monday at eleven o'clock A.M.