The Commonwealth of Massachusetts

JOURNAL OF THE HOUSE.
IN JOINT SESSION.

WEDNESDAY, JUNE 12, 2019.

[56]*
At fourteen minutes past one o’clock P.M., the two Houses met in JOINT SESSION and were called to order by the Honorable Karen E. Spilka, President of the Senate who made the following observations:

The President, the Speaker, members, guests and employees then recited the pledge of allegiance to the flag.

Distinguished Guests.

There being no objection, the President introduced, in the Chamber, guests of Senator Nick Collins and Representatives Hunt of Boston, Biele of Boston and Cullinane of Boston, Dr. John McColgan, the Archivist for the city of Boston.

Dr. McColgan earned a bachelor’s degree at Boston College, and Doctor of Philosophy at the National University of Ireland, and was appointed Chief Records Analyst at the State Archives before being named Records Manager at the MWRA. Dr. McColgan has committed decades to public service of the Commonwealth and city of Boston, continuing his work as City Archivist, and remaining active in the Dorchester Historical Society.

He was accompanied by his wife, Donna Blythe-McColgan, their grandchildren Patrick and Brianna, their family in the gallery, former Mayor of the city of Boston Ray Flynn, and his hardworking staff Kristen Swett, Marta Krilly and Kayla Skillin. Together, they have produced a special historical exhibit entitled: The Irish and Boston: An Immigration Saga, which is now on display in the State House. The Joint Convention welcomed them with applause and they withdrew from the Chamber.

The Proposal for a Legislative Amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars (see House, No. 86), was read a third time.

The Proposal was as follows:—

ARTICLE OF AMENDMENT.

Article XLIV of the Massachusetts Constitution is hereby amended by adding the following paragraph at the end thereof:

To provide the resources for quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation, all revenues received in accordance with this paragraph shall be expended, subject to appropriation, only for these purposes. In addition to the taxes on income otherwise authorized under this Article, there shall be an additional tax of 4 percent on that portion of annual taxable income in excess of $1,000,000 (one million dollars) reported on any return related to those taxes. To ensure that this additional tax continues to apply only
to the commonwealth’s highest income taxpayers, this $1,000,000 (one million dollars) income level shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets. This paragraph shall apply to all tax years beginning on or after January 1, 2023.

After debate on the question on agreeing to the proposal for a constitutional amendment, Representatives Jones of North Reading and other members of the General Court moved to amend it in line 7 by inserting after the word “purposes” the words “; provided however that any funds appropriated shall be in addition to and not in lieu of funds appropriated for such purposes in the fiscal year most recently completed prior to the enactment of this amendment.”.

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eight minutes before two o’clock, P.M. on motion of Mr. Jones of North Reading, as follows to wit (Yeas 40 — Nays 156) [Senate Yeas and Nays No. 67] [House Yeas and Nays No. 71]:

YEAS — (40).

Senators.

deMacedo, Viriato M. O’Connor, Patrick M.
Fattman, Ryan C. Tarr, Bruce E.
Humason, Donald F., Jr. Tran, Dean A. − 6.

Representatives.

Barrows, F. Jay Kane, Hannah
Berthiaume, Donald R., Jr. Kelcourse, James M.
Boldyga, Nicholas A. Lombardo, Marc T.
Crocker, William L., Jr. McKenna, Joseph D.
DeCoste, David F. Mirra, Lenny
D’Emilia, Angelo L. Muradian, David K., Jr.
Dooley, Shawn Muratore, Mathew J.
Durant, Peter J. O’Connell, Shauna L.
Ferguson, Kimberly N. Orrall, Norman J.
Frost, Paul K. Poirier, Elizabeth A.
Garry, Colleen M. Smola, Todd M.
Gifford, Susan Williams Soter, Michael J.
Harrington, Sheila C. Straus, William M.
Hill, Bradford Sullivan, Alyson M.
Howitt, Steven S. Vieira, David T.
Hunt, Randy Whelan, Timothy R.
Jones, Bradley H., Jr. Wong, Donald H. − 34.

NAYS — (156).

Senators.

Barrett, Michael J. Gobi, Anne M.
Boncore, Joseph A. Hinds, Adam G.
Brady, Michael D. Jehlen, Patricia D.
Brownsberger, William N. Keenan, John F.
Chandler, Harriette L.  Kennedy, Edward J.
Chang-Diaz, Sonia  Lesser, Eric P.
Collins, Nick  Lewis, Jason M.
Comerford, Joanne M.  Lovely, Joan B.
Creem, Cynthia Stone  Montigny, Mark C.
Crighton, Brendan P.  Moore, Michael O.
Cyr, Julian  Pacheco, Marc R.
DiDomenico, Sal N.  Rausch, Rebecca L.
DiZoglio, Diana  Rodrigues, Michael J.
Eldridge, James B.  Rush, Michael F.
Feeney, Paul R.  Timilty, Walter F.
Finegold, Barry R.  Welch, James T. – 33.
Friedman, Cindy F.

Representatives.

Arciero, James  LaNatra, Kathleen R.
Ashe, Brian M.  Lawn, John J., Jr.
Ayers, Bruce J.  LeBoeuf, David Henry Argosky
Balser, Ruth B.  Lewis, Jack Patrick
Barber, Christine P.  Linsky, David Paul
Barrett, John, III  Livingstone, Jay D.
Benson, Jennifer E.  Madaro, Adrian C.
Biele, David  Mahoney, John J.
Blais, Natalie M.  Malia, Elizabeth A.
Brodeur, Paul  Mariano, Ronald
Cabral, Antonio F. D.  Mark, Paul W.
Cahill, Daniel  Markey, Christopher M.
Capano, Peter  McGonagle, Joseph W., Jr.
Carey, Daniel R.  McMurry, Paul
Cassidy, Gerard J.  Meschino, Joan
Chan, Tackey  Michlewitz, Aaron
Ciccolo, Michelle L.  Minicucci, Christina A.
Connolly, Mike  Miranda, Liz
Coppinger, Edward F.  Mom, Rady
Cullinan, Daniel R.  Moran, Frank A.
Cusack, Mark J.  Moran, Michael J.
Cutler, Josh S.  Murphy, James M.
Day, Michael S.  Murray, Brian W.
Dean Campbell, Linda  Nangle, David M.
Decker, Marjorie C.  Naughton, Harold P., Jr.
DeLeo, Robert A.  Nguyen, Tram T.
Devers, Marcos A.  O’Day, James J.
Domb, Gindy  Parisella, Jerald A.
Donahue, Daniel M.  Peake, Sarah K.
Donato, Paul J.  Peisch, Alice Hanlon
Driscoll, William J., Jr.  Petrolati, Thomas M.
DuBois, Michelle M.  Pignatelli, Smitty
Dykema, Carolyn C.  Provost, Denise
Ehrlich, Lori A.  Puppolo, Angelo J., Jr.
Elugardo, Nika C.  Robertson, David Allen
ABSENT OR NOT VOTING — (3).

Representatives.

Cronin, Claire D. Khan, Kay – 3.
Kearney, Patrick Joseph

The yeas and nays having been completed at three minutes before two o’clock P.M., the amendment was rejected.

Senators O’Connor and Tarr then moved to amend the proposal for a constitutional amendment in line 14 by inserting after the word “brackets” the following sentence:

“S Corporations, as defined by section 1361 of the Code, shall be exempt from the provisions of this paragraph.”.

After debate, the question on adoption of the amendment was determined by a call of the yeas and nays, at eight minutes before two o’clock, P.M. on motion of Mr. Jones of North Reading, as follows, to wit (Yeas 42 — Nays 154) [Senate Yeas and Nays No. 68] [House Yeas and Nays No. 72]:

YEAS — (42).

Senators.

deMacedo, Viriato M. O’Connor, Patrick M.
Representatives.

Fattman, Ryan C.  
Humason, Donald F., Jr.  
Tarr, Bruce E.  
Tran, Dean A. – 6.

Barrows, F. Jay  
Berthiaume, Donald R., Jr.  
Boldyga, Nicholas A.  
Crocker, William L., Jr.  
DeCoste, David F.  
D’Emilia, Angelo L.  
Dooley, Shawn  
Durant, Peter J.  
Ferguson, Kimberly N.  
Frost, Paul K.  
Garry, Colleen M.  
Gifford, Susan Williams  
Harrington, Sheila C.  
Hill, Bradford  
Howitt, Steven S.  
Hunt, Randy  
Jones, Bradley H., Jr.  
Kane, Hannah  
Kelcourse, James M.  
Lombardo, Marc T.  
McKenna, Joseph D.  
Mirra, Lenny  
Muradian, David K., Jr.  
Muratore, Mathew J.  
O’Connell, Shaunna L.  
Orrall, Norman J.  
Poirier, Elizabeth A.  
Robertson, David Allen  
Smola, Todd M.  
Soter, Michael J.  
Sullivan, Alyson M.  
Vieira, David T.  
Walsh, Thomas P.  
Whelan, Timothy R.  
Wong, Donald H.  
Zlotnik, Jonathan D. – 36.

NAYS — (154).

Senators.

Barrett, Michael J.  
Boncore, Joseph A.  
Brady, Michael D.  
Brownsberger, William N.  
Chandler, Harriette L.  
Chang-Diaz, Sonia  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cyr, Julian  
DiDomenico, Sal N.  
DiZoglio, Diana  
Eldridge, James B.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Gobi, Anne M.  
Hinds, Adam G.  
Jehlen, Patricia D.  
Keenan, John F.  
Kennedy, Edward J.  
Lesser, Eric P.  
Lewis, Jason M.  
Lovely, Joan B.  
Montigny, Mark C.  
Moore, Michael O.  
Pacheco, Marc R.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Rush, Michael F.  
Timilty, Walter F.  
Welch, James T. – 33.

Representatives.

Arciero, James  
Ashe, Brian M.  
Ayers, Bruce J.  
Keefe, Mary S.  
LaNatra, Kathleen R.  
Lawn, John J., Jr.
Balser, Ruth B.  
LeBoeuf, David Henry Argosky  
Barber, Christine P.  
Lewis, Jack Patrick  
Barrett, John, III  
Linsky, David Paul  
Benson, Jennifer E.  
Livingstone, Jay D.  
Biele, David  
Madaro, Adrian C.  
Blais, Natalie M.  
Mahoney, John J.  
Brodeur, Paul  
Malia, Elizabeth A.  
Cabral, Antonio F. D.  
Mariano, Ronald  
Cahill, Daniel  
Mark, Paul W.  
Capano, Peter  
Markey, Christopher M.  
Carey, Daniel R.  
McGonagle, Joseph W., Jr.  
Cassidy, Gerard J.  
McMurtry, Paul  
Chan, Tackey  
Meschino, Joan  
Ciccolo, Michelle L.  
Michlewitz, Aaron  
Connolly, Mike  
Minicucci, Christina A.  
Coppinger, Edward F.  
Miranda, Liz  
Cullinan, Daniel R.  
Mom, Rady  
Cusack, Mark J.  
Moran, Frank A.  
Cutler, Josh S.  
Moran, Michael J.  
Day, Michael S.  
Murphy, James M.  
Dean Campbell, Linda  
Murray, Brian W.  
Decker, Marjorie C.  
Nangle, David M.  
DeLeo, Robert A.  
Naughton, Harold P., Jr.  
Devers, Marcos A.  
Nguyen, Tram T.  
Domb, Mindy  
O'Day, James J.  
Donahue, Daniel M.  
Parisella, Jerald A.  
Donato, Paul J.  
Peake, Sarah K.  
Driscoll, William J., Jr.  
Peisch, Alice Hanlon  
DuBois, Michelle M.  
Petrolati, Thomas M.  
Dykema, Carolyn C.  
Pignatelli, Smitty  
Ehrlich, Lori A.  
Provost, Denise  
Elugardo, Nika C.  
Puppolo, Angelo J., Jr.  
Farley-Bouvier, Tricia  
Robinson, Maria Duaine  
Fernandes, Dylan A.  
Rogers, David M.  
Ferrante, Ann-Margaret  
Rogers, John H.  
Finn, Michael J.  
Roy, Jeffrey N.  
Fiola, Carole A.  
Ryan, Daniel J.  
Galvin, William C.  
Sabadosa, Lindsay N.  
Garballey, Sean  
Santiago, Jon  
Garlick, Denise C.  
Scaccia, Angelo M.  
Gentile, Carmine Lawrence  
Schmid, Paul A., III  
Golden, Thomas A., Jr.  
Silvia, Alan  
González, Carlos  
Speliotis, Theodore C.  
Gordon, Kenneth I.  
Stanley, Thomas M.  
Gouveia, Tami L.  
Straus, William M.  
Gregoire, Danielle W.  
Tosado, José F.  
Haddad, Patricia A.  
Tucker, Paul F.  
Haggerty, Richard M.  
Tyler, Chynah  
Hawkins, James K.  
Ultrino, Steven  
Hay, Stephan  
Vargas, Andres X.  
Hecht, Jonathan  
Vega, Aaron
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Hendricks, Christopher
Higgins, Natalie M.
Hogan, Kate
Holmes, Russell E.
Honan, Kevin G.
Hunt, Daniel J.
Kafka, Louis L.

Velis, John C.
Vincent, RoseLee
Vitolo, Tommy
Wagner, Joseph F.
Whipps, Susannah M.
Williams, Bud L. – 121.

ABSENT OR NOT VOTING — 3).

Representatives.

Cronin, Claire D.
Khan, Kay – 3.
Kearney, Patrick Joseph

The yeas and nays having been completed at twenty-four minutes past two o’clock P.M., the amendment was rejected.

Senator Tarr then moved to amend the proposal for a constitutional amendment in line 8 by inserting after the word “of” the words “not more than”.

Pending the question on adoption of the amendment, Senators Fattman and Tarr moved to amend it by adding the following sentence: “This paragraph shall expire on January 1, 2028.”.

After remarks, the further amendment was rejected.

The amendment was then considered; and, after remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twenty-three minutes before three o’clock, P.M. on motion of Mr. Tarr, as follows, to wit (Yeas 40 – Nays 155) [Senate Yeas and Nays No. 69] [House Yeas and Nays No. 73]:

YEAS — (40).

Senators.

deMacedo, Viriato M.
Fattman, Ryan C.
Humason, Donald F., Jr.

O’Connor, Patrick M.
Tarr, Bruce E.
Tran, Dean A. – 6.

Representatives.

Barrows, F. Jay
Berthiaume, Donald R., Jr.
Boldyga, Nicholas A.
Crocker, William L., Jr.
DeCoste, David F.
D’Emilia, Angelo L.
Dooley, Shawn
Durant, Peter J.
Ferguson, Kimberly N.
Frost, Paul K.
Garry, Colleen M.
Gifford, Susan Williams

Kane, Hannah
Kelcourse, James M.
Lombardo, Marc T.
McKenna, Joseph D.
Mirra, Lenny
Muradian, David K., Jr.
Muratore, Mathew J.
O’Connell, Shauna L.
Orrall, Norman J.
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Robertson, David Allen
Smola, Todd M.
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<td>Rodrigues, Michael J.</td>
<td>Gilman, Michael J.</td>
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<td>Rush, Michael F.</td>
<td>Gibbons, Elizabeth</td>
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<td>Timilty, Walter F.</td>
<td>Gilpin, Mary</td>
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<td>Welch, James T.</td>
<td>Gilson, Thomas</td>
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<td>Wong, Donald H. − 34.</td>
<td>Gilmer, John W.</td>
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Cutler, Josh S.                        Murphy, James M.
Day, Michael S.                        Murray, Brian W.
Dean Campbell, Linda                  Nangle, David M.
Decker, Marjorie C.                   Naughton, Harold P., Jr.
DeLeo, Robert A.                      Nguyen, Tram T.
Devers, Marcos A.                     O’Day, James J.
Domb, Mindy                           Parisella, Jerald A.
Donahue, Daniel M.                   Peake, Sarah K.
Donato, Paul J.                       Peisch, Alice Hanlon
Driscoll, William J., Jr.             Petrolati, Thomas M.
DuBois, Michelle M.                   Pignatelli, Smitty
Dykema, Carolyn C.                    Provost, Denise
Ehrlich, Lori A.                      Puppolo, Angelo J., Jr.
Elugardo, Nika C.                     Robinson, Maria Duaine
Farley-Bouvier, Tricia              Rogers, David M.
Fernandes, Dylan A.                   Rogers, John H.
Ferrante, Ann-Margaret                Roy, Jeffrey N.
Finn, Michael J.                     Ryan, Daniel J.
Fiola, Carole A.                      Sabadosa, Lindsay N.
Galvin, William C.                    Santiago, Jon
Garballey, Sean                     Scaccia, Angelo M.
Garlick, Denise C.                    Schmid, Paul A., III
Gentile, Carmine Lawrence             Silvia, Alan
González, Carlos                     Speliotis, Theodore C.
Gordon, Kenneth I.                   Stanley, Thomas M.
Gouveia, Tami L.                      Straus, William M.
Gregoire, Danielle W.                Tosado, José F.
Haddad, Patricia A.                   Tucker, Paul F.
Haggerty, Richard M.                 Tyler, Chynah
Hawkins, James K.                    Ultrino, Steven
Hay, Stephan                         Vargas, Andres X.
Hecht, Jonathan                      Vega, Aaron
Hendricks, Christopher               Velis, John C.
Higgins, Natalie M.                  Vincent, RoseLee
Hogan, Kate                          Vitolo, Tommy
Holmes, Russell E.                   Wagner, Joseph F.
Honan, Kevin G.                       Walsh, Thomas P.
Hunt, Daniel J.                      Whipps, Susannah M.
Kafka, Louis L.                      Williams, Bud L.
Keefe, Mary S.                       Zlotnik, Jonathan D. – 122.

ABSENT OR NOT VOTING — (4).

Representatives.

Cronin, Claire D.                     Kearney, Patrick Joseph

The yeas and nays having been completed at sixteen minutes before three o’clock P.M., the amendment was rejected.
Mr. Hunt of Sandwich then moved to amend the proposal for a constitutional amendment in line 8 by striking out the words “there shall be an additional tax of” and inserting in place thereof the words “the general court may impose an additional tax of up to”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at thirteen minutes before three o’clock, P.M. on motion of Mr. Hunt of Sandwich, as follows, to wit (Yeas 41 — Nays 155) [Senate Yeas and Nays No. 70] [House Yeas and Nays No. 74]:

YEAS — (41).  

Senators.

deMacedo, Viriato M.  
Fattman, Ryan C.  
Humason, Donald F., Jr.  
O’Connor, Patrick M.  
Tarr, Bruce E.  
Tran, Dean A. − 6.

Representatives.

Barrows, F. Jay  
Berthiaume, Donald R., Jr.  
Boldyga, Nicholas A.  
Crocker, William L., Jr.  
DeCoste, David F.  
D’Emilia, Angelo L.  
Dooley, Shawn  
Durant, Peter J.  
Ferguson, Kimberly N.  
Frost, Paul K.  
Garry, Colleen M.  
Gifford, Susan Williams  
Harrington, Sheila C.  
Hill, Bradford  
Howitt, Steven S.  
Hunt, Randy  
Jones, Bradley H., Jr.  
Kane, Hannah  
Kelcourse, James M.  
Lombardo, Marc T.  
McKenna, Joseph D.  
Mirra, Lenny  
Muradian, David K., Jr.  
Muratore, Mathew J.  
O’Connell, Shauna L.  
Orrall, Norman J.  
Poirier, Elizabeth A.  
Smola, Todd M.  
Soter, Michael J.  
Sullivan, Alyson M.  
Velas, John C.  
Vieira, David T.  
Whelan, Timothy R.  
Wong, Donald H.  
Zlotnik, Jonathan D. − 35.

NAYS — (155).  

Senators.

Barrett, Michael J.  
Boncore, Joseph A.  
Brady, Michael D.  
Brownsberger, William N.  
Chandler, Harriette L.  
Chang-Diaz, Sonia  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Gobi, Anne M.  
Hinds, Adam G.  
Jehlen, Patricia D.  
Keenan, John F.  
Kennedy, Edward J.  
Lesser, Eric P.  
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<td>Cabral, Antonio F. D.</td>
<td>Mariano, Ronald</td>
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<td>Carey, Daniel R.</td>
<td>McGonagle, Joseph W., Jr.</td>
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<td>Cassidy, Gerard J.</td>
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<td>Rogers, John H.</td>
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<td>Fiola, Carole A.</td>
<td>Roy, Jeffrey N.</td>
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</table>
ABSENT OR NOT VOTING — (3).

Representatives.

Cronin, Claire D.  Khan, Kay – 3.
Kearney, Patrick Joseph

The yeas and nays having been completed at seven minutes before three o’clock P.M., the amendment was rejected.

Mr. Hunt of Sandwich then moved to amend the proposal for a constitutional amendment in line 8 by striking out the words “there shall be an additional tax of” and inserting in place thereof the words “the general court may impose an additional tax of up to”;

By inserting at the end of the second sentence the following: “; provided, however, that if any additional tax is imposed on taxable income in excess of $1,000,000 (one million dollars), the general court shall reduce the income tax rate imposed on those with taxable incomes of less than $100,000 (one hundred thousand dollars) in a tax year by half the percentage amount of the additional tax imposed on that portion of annual taxable income in excess of $1,000,000 (one million dollars).”; and

By striking out the third sentence and inserting in place thereof the following sentence: “To ensure that the additional tax continues to apply to only the commonwealth’s highest income taxpayers and the corresponding reduction of tax continues to apply to only the commonwealth’s lowest income taxpayers, the income levels in this paragraph shall be adjusted annually to reflect any increases in the cost of living by the same method used for federal income tax brackets.”.

After remarks, the question on adoption of the amendments was determined by a call of the yeas and nays, at two minutes before three o’clock, P.M. on motion of Mr. Hunt of
Sandwich, as follows, to wit (Yeas 42 — Nays 152) [Senate Yeas and Nays No. 71] [House Yeas and Nays No. 75]:

YEAS — (42).

Senators.

deMacedo, Viriato M.  O’Connor, Patrick M.
Fattman, Ryan C.  Tarr, Bruce E.
Humason, Donald F., Jr.  Tran, Dean A. — 6.

Representatives.

Barrows, F. Jay  Lombardo, Marc T.
Berthiaume, Donald R., Jr.  McKenna, Joseph D.
Boldyga, Nicholas A.  Mirra, Lenny
DeCoste, David F.  Muratore, Mathew J.
D’Emilia, Angelo L.  O’Connell, Shaunna L.
Dooley, Shawn  Orrall, Norman J.
Durant, Peter J.  Poirier, Elizabeth A.
Ferguson, Kimberly N.  Robertson, David Allen
Frost, Paul K.  Rogers, John H.
Garry, Colleen M.  Smola, Todd M.
Gifford, Susan Williams  Soter, Michael J.
Hill, Bradford  Sullivan, Alyson M.
Howitt, Steven S.  Velis, John C.
Hunt, Randy  Vieira, David T.
Jones, Bradley H., Jr.  Whelan, Timothy R.
Kane, Hannah  Whipps, Susannah M.
Kelcourse, James M.  Wong, Donald H. — 36.

NAYS — (152).

Senators.

Barrett, Michael J.  Gobi, Anne M.
Boncore, Joseph A.  Hinds, Adam G.
Brady, Michael D.  Jehlen, Patricia D.
Brownsberger, William N.  Keenan, John F.
Chandler, Harriette L.  Kennedy, Edward J.
Chang-Diaz, Sonia  Lesser, Eric P.
Collins, Nick  Lewis, Jason M.
Comerford, Joanne M.  Lovely, Joan B.
Creem, Cynthia Stone  Montigny, Mark C.
Crighton, Brendan P.  Moore, Michael O.
Cyr, Julian  Pacheco, Marc R.
DiDomenico, Sal N.  Rausch, Rebecca L.
DiZoglio, Diana  Rodrigues, Michael J.
Eldridge, James B.  Rush, Michael F.
Feeney, Paul R.  Timilty, Walter F.
Representatives.

Arciero, James
Ashe, Brian M.
Ayers, Bruce J.
Balser, Ruth B.
Barber, Christine P.
Barrett, John, III
Benson, Jennifer E.
Biele, David
Blais, Natalie M.
Brodeur, Paul
Cabral, Antonio F. D.
Cahill, Daniel
Capano, Peter
Carey, Daniel R.
Cassidy, Gerard J.
Chan, Tackey
Ciccolo, Michelle L.
Connolly, Mike
Coppinger, Edward F.
Cullinan, Daniel R.
Cusack, Mark J.
Cutler, Josh S.
Day, Michael S.
Dean Campbell, Linda
Decker, Marjorie C.
DeLeo, Robert A.
Devers, Marcos A.
Domb, Mindy
Donahue, Daniel M.
Donato, Paul J.
Driscoll, William J., Jr.
DuBois, Michelle M.
Dykema, Carolyn C.
Ehrlich, Lori A.
Elugardo, Nika C.
Farley-Bouvier, Tricia
Fernandes, Dylan A.
Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.
Galvin, William C.
Garballey, Sean
Garlick, Denise C.
Gentile, Carmine Lawrence
Golden, Thomas A., Jr.
González, Carlos
Kafka, Louis L.
Keefe, Mary S.
LaNatra, Kathleen R.
Lawn, John J., Jr.
LeBoeuf, David Henry Argosky
Lewis, Jack Patrick
Linsky, David Paul
Livingstone, Jay D.
Madaro, Adrian C.
Mahoney, John J.
Malia, Elizabeth A.
Mariano, Ronald
Mark, Paul W.
Markey, Christopher M.
McMurtry, Paul
Meschino, Joan
Michelewitz, Aaron
Minicucci, Christina A.
Miranda, Liz
Mom, Rady
Moran, Frank A.
Moran, Michael J.
Murphy, James M.
Murray, Brian W.
Nangle, David M.
Naughton, Harold P., Jr.
Nguyen, Tram T.
O’Day, James J.
Parisella, Jerald A.
Peake, Sarah K.
Peisch, Alice Hanlon
Petrolati, Thomas M.
Pignatelli, Smitty
Provost, Denise
Puppolo, Angelo J., Jr.
Robinson, Maria Duaine
Rogers, David M.
Roy, Jeffrey N.
Ryan, Daniel J.
Sábadosa, Lindsay N.
Santiago, Jon
Scaccia, Angelo M.
Schmid, Paul A., III
Silvia, Alan
Speliotis, Theodore C.
Stanley, Thomas M.
The yeas and nays having been completed at four minutes past three minutes before three o’clock P.M., the amendment was rejected.

Subsequently a statement of Mrs. Harrington of Groton was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session the fact that on the previous roll call I was absent from the Chamber on official business in another part of the State House. If I had been present, I would have voted in the affirmative on adoption of amendments.

Senator Tarr moved to amend the proposal for a constitutional amendment in lines 9 and 10 by striking out the following: “in excess of $1,000,000 (one million dollars)” and inserting in place thereof the following: “on no less than $1,000,000.01 (one million dollars and one cent)” and in line 12 by striking out the following: “$1,000,000 (one million dollars)” and inserting in place thereof the following: “$1,000,000.01 (one million dollars and one cent)”.

After remarks, the amendments were rejected.

Senator Tarr moved to amend the proposal for constitutional amendment in line 15 by inserting after the year: “2023” the following sentence:

“The comptroller of the commonwealth or any successor agency or authority in conjunction with the secretary of the executive office of administration and finance or any successor agency or authority shall submit to the clerks of the house and senate by no later than March 1 of each year, a report detailing the amount and itemized expenditure of funds collected pursuant to this paragraph.”.

Senators deMacedo and Tarr then moved to amend the amendment by adding the following sentence: “The commissioner of the department of revenue or any successor agency or authority shall annually by no later than March 1, certify and report to the clerks of the house and senate the number of residents paying the tax in this paragraph for the prior year.”.

The further amendment was rejected.

After remarks, the amendment was rejected.
Senators Tarr and Brady then moved to amend the proposal for a constitutional amendment in line 15 by inserting after the year: “2023” the following paragraph:

“There shall be established and set up on the books of the commonwealth, a separate fund to be known as the Education and Transportation Trust Fund. There shall be credited to the trust fund all revenue generated pursuant to this paragraph. The trust fund shall be subject to appropriation and shall be used exclusively for the purpose of providing the resources for quality public education and affordable public colleges and universities, and for the repair and maintenance of roads, bridges and public transportation. All monies deposited into the fund shall be expended exclusively for the purpose set forth in this paragraph. Not later than March 1 of each year, the comptroller, or any successor agency or authority shall certify and report to the clerks of the house and senate the amount of revenue generated and deposited into the trust fund.”.

After remarks, the question on adoption of the amendment was determined by a call of the yeas and nays, at twelve minutes past three o’clock, P.M. on motion of Mr. Tarr, as follows, to wit (Yeas 39 — Nays 154) [Senate Yeas and Nays No. 72] [House Yeas and Nays No. 76]:

YEAS — (39).

Senators.

deMacedo, Viriato M. 
Fattman, Ryan C. 
Humason, Donald F., Jr. 
O’Connor, Patrick M. 
Tarr, Bruce E. 
Tran, Dean A. − 6.

Representatives.

Barrows, F. Jay 
Berthiaume, Donald R., Jr. 
Boldyga, Nicholas A. 
Crocker, William L., Jr. 
DeCoste, David F. 
D’Emilia, Angelo L. 
Dooley, Shawn 
Durant, Peter J. 
Ferguson, Kimberly N. 
Frost, Paul K. 
Garry, Colleen M. 
Gifford, Susan Williams 
Harrington, Sheila C. 
Hill, Bradford 
Howitt, Steven S. 
Hunt, Randy 
Jones, Bradley H., Jr. 
Kane, Hannah 
Kelcourse, James M. 
Lombardo, Marc T. 
McKenna, Joseph D. 
Mirra, Lenny 
Muradian, David K., Jr. 
Muratore, Mathew J. 
O’Connell, Shaunnna L. 
Orrall, Norman J. 
Poirier, Elizabeth A. 
Smola, Todd M. 
Sotera, Michael J. 
Sullivan, Alyson M. 
Vieira, David T. 
Whelan, Timothy R. 
Wong, Donald H. − 33.

NAYS — (154).

Senators.

Barrett, Michael J. 
Boncore, Joseph A. 
Brady, Michael D. 
Brownsberger, William N. 
Gobi, Anne M. 
Hinds, Adam G. 
Jehlen, Patricia D. 
Keenan, John F.
UNCORRECTED PROOF.

Chandler, Harriette L.  
Chang-Diaz, Sonia  
Collins, Nick  
Comerford, Joanne M.  
Creem, Cynthia Stone  
Crighton, Brendan P.  
Cyr, Julian  
DiDomenico, Sal N.  
DiZoglio, Diana  
Eldridge, James B.  
Feeney, Paul R.  
Finegold, Barry R.  
Friedman, Cindy F.  
Kennedy, Edward J.  
Lesser, Eric P.  
Lewis, Jason M.  
Lovely, Joan B.  
Montigny, Mark C.  
Moore, Michael O.  
Pacheco, Marc R.  
Rausch, Rebecca L.  
Rodrigues, Michael J.  
Rush, Michael F.  
Timilty, Walter F.  
Welch, James T. – 33.

Representatives.

Arciero, James  
Ashe, Brian M.  
Ayers, Bruce J.  
Balser, Ruth B.  
Barber, Christine P.  
Barrett, John, III  
Benson, Jennifer E.  
Biehler, David  
Blais, Natalie M.  
Brodeur, Paul  
Cabral, Antonio F. D.  
Cahill, Daniel  
Capanna, Peter  
Carey, Daniel R.  
Cassidy, Gerard J.  
Chan, Tackey  
Ciccolo, Michelle L.  
Connolly, Mike  
Coppinger, Edward F.  
Cullinane, Daniel R.  
Cusack, Mark J.  
Cutler, Josh S.  
Day, Michael S.  
Dean Campbell, Linda  
Decker, Marjorie C.  
DeLeo, Robert A.  
Devers, Marcos A.  
Domb, Mindy  
Donahue, Daniel M.  
Donato, Paul J.  
Driscoll, William J., Jr.  
DuBois, Michelle M.  
Dykema, Carolyn C.  
Ehrlich, Lori A.  
Elugardo, Nika C.  
Feeney, Paul R.  
LaNatra, Kathleen R.  
Lawn, John J., Jr.  
LeBoeuf, David Henry Argosky  
Lewis, Jack Patrick  
Linsky, David Paul  
Livingstone, Jay D.  
Madaro, Adrian C.  
Mahoney, John J.  
Malia, Elizabeth A.  
Mariano, Ronald  
Mark, Paul W.  
Markey, Christopher M.  
McMurtry, Paul  
Meschino, Joan  
Michlewitz, Aaron  
Minicucci, Christina A.  
Miranda, Liz  
Mom, Rady  
Moran, Frank A.  
Moran, Michael J.  
Murphy, James M.  
Murray, Brian W.  
Nangle, David M.  
Naughton, Harold P., Jr.  
Nguyen, Tram T.  
O’Day, James J.  
Parisella, Jerald A.  
Peake, Sarah K.  
Pech, Alice Hanlon  
Petrolati, Thomas M.  
Pignatelli, Smitty  
Provost, Denise  
Puppolo, Angelo J., Jr.  
Robertson, David Allen  
Robinson, Maria Duaime
Farley-Bouvier, Tricia
Fernandes, Dylan A.
Ferrante, Ann-Margaret
Finn, Michael J.
Fiola, Carole A.
Galvin, William C.
Garballey, Sean
Garlick, Denise C.
Gentile, Carmine Lawrence
Golden, Thomas A., Jr.
González, Carlos
Gordon, Kenneth I.
Gouveia, Tami L.
Gregoire, Danielle W.
Haddad, Patricia A.
Haggerty, Richard M.
Hawkins, James K.
Hay, Stephan
Hecht, Jonathan
Hendricks, Christopher
Higgins, Natalie M.
Hogan, Kate
Honan, Kevin G.
Hunt, Daniel J.
Kafka, Louis L.
Keefe, Mary S.
Rogers, David M.
Rogers, John H.
Roy, Jeffrey N.
Sabadosa, Lindsay N.
Santiago, Jon
Scaccia, Angelo M.
Schmid, Paul A., III
Silvia, Alan
Speliotis, Theodore C.
Stanley, Thomas M.
Straus, William M.
Tosado, José F.
Tyler, Paul F.
Tyler, Chynah
Ultrino, Steven
Vargas, Andres X.
Vega, Aaron
Velis, John C.
Vincent, Rose Lee
Vitolo, Tommy
Wagner, Joseph F.
Walsh, Thomas P.
Whipps, Susannah M.
Williams, Bud L.
Zlotnik, Jonathan D. – 121.

ABSENT OR NOT VOTING — (6).

Representatives.

Cronin, Claire D.
Holmes, Russell E.
Kearney, Patrick Joseph
Khan, Kay
McGonagle, Joseph W., Jr.
Ryan, Daniel J. – 6.

The yeas and nays having been completed at eighteen minutes past three minutes before three o’clock P.M., the amendment was rejected.

Senators Tarr and Brady then moved to amend the proposal for a constitutional amendment in line 4 by inserting after the word “universities” the following: “including the reimbursement of not less than 100 per cent of amounts expended by regional school districts to provide transportation for all school children in grades kindergarten through twelve”.

Senators Humason and Tarr then moved to amend it by striking out the text and inserting in place thereof the following:

in line 4 after the word “universities” the following words: “at least 25 percent of the revenue generated in this paragraph shall be deposited into the Commonwealth stabilization fund or any successor fund”.

After remarks, the amendment was rejected.

The pending amendment was rejected.
Messrs. Tarr and Brady then moved to amend the proposal for a constitutional amendment in line 4 by inserting after the word “universities” the words “including the full reimbursement of special education circuit breaker, charter school enrollment reimbursement, and school choice reimbursement in a formula established by the general court”.

After remarks, the amendment was rejected.

After remarks, the main question on agreeing to the amendment was determined by a call of the yeas and nays, at nineteen minutes before four o’clock, P.M., as follows, to wit (Yeas 147 — Nays 48) [Senate Yeas and Nays No. 73] [House Yeas and Nays No. 77]:

**YEAS — (147).**

*Senators.*

- Barrett, Michael J.
- Boncore, Joseph A.
- Brady, Michael D.
- Brownsberger, William N.
- Chandler, Harriette L.
- Chang-Diaz, Sonia
- Collins, Nick
- Comerford, Joanne M.
- Creem, Cynthia Stone
- Crighton, Brendan P.
- Cyr, Julian
- DiDomenico, Sal N.
- DiZoglio, Diana
- Eldridge, James B.
- Feeley, Paul R.
- Finegold, Barry R.
- Friedman, Cindy F.
- Gobi, Anne M.
- Hinds, Adam G.
- Jehlen, Patricia D.
- Keenan, John F.
- Kennedy, Edward J.
- Lesser, Eric P.
- Lewis, Jason M.
- Lovely, Joan B.
- Montigny, Mark C.
- Moore, Michael O.
- O’Connor, Patrick M.
- Pacheco, Marc R.
- Rausch, Rebecca L.
- Rodrigues, Michael J.
- Rush, Michael F.
- Spilka, Karen E.
- Timilty, Walter F.
- Welch, James T. – 35.

*Representatives.*

- Arciero, James
- Ayers, Bruce J.
- Balser, Ruth B.
- Barber, Christine P.
- Barrett, John, III
- Benson, Jennifer E.
- Biele, David
- Blais, Natalie M.
- Brodeur, Paul
- Cabral, Antonio F. D.
- Cahill, Daniel
- Capano, Peter
- Carey, Daniel R.
- Cassidy, Gerard J.
- Chan, Tackey
- Ciccolo, Michelle L.
- Connolly, Mike
- LaNatra, Kathleen R.
- Lawn, John J., Jr.
- LeBoeuf, David Henry Argosky
- Lewis, Jack Patrick
- Linsky, David Paul
- Livingstone, Jay D.
- Madaro, Adrian C.
- Mahoney, John J.
- Malia, Elizabeth A.
- Mariano, Ronald
- Mark, Paul W.
- McGonagle, Joseph W., Jr.
- McMurtry, Paul
- Meschino, Joan
- Michlewitz, Aaron
- Minicucci, Christina A.
- Miranda, Liz
Coppinger, Edward F.                      Mom, Rady
Cullinane, Daniel R.                      Moran, Frank A.
Cusack, Mark J.                          Moran, Michael J.
Cutler, Josh S.                           Murphy, James M.
Day, Michael S.                           Murray, Brian W.
Dean Campbell, Linda                      Nangle, David M.
Decker, Marjorie C.                      Nguyen, Tram T.
DeLeo, Robert A.                          O’Day, James J.
Devers, Marcos A.                         Parisella, Jerald A.
Domb, Mindy                               Peake, Sarah K.
Donahue, Daniel M.                       Peisch, Alice Hanlon
Donato, Paul J.                           Pignatelli, Smitty
Driscoll, William J., Jr.                Provost, Denise
DuBois, Michelle M.                      Robertson, David Allen
Dykema, Carolyn C.                       Robinson, Maria Duaine
Ehrlich, Lori A.                          Rogers, David M.
Elugardo, Nika C.                         Rogers, John H.
Farley-Bouvier, Tricia                   Ryan, Daniel J.
Fernandes, Dylan A.                      Sabadosa, Lindsay N.
Fiola, Carole A.                          Santiago, Jon
Garballey, Sean                           Scaccia, Angelo M.
Garlick, Denise C.                       Schmid, Paul A., III
Gentile, Carmine Lawrence                Silvia, Alan
Golden, Thomas A., Jr.                   Speliotis, Theodore C.
González, Carlos                         Stanley, Thomas M.
Gordon, Kenneth I.                       Straus, William M.
Gouveia, Tami L.                          Tosado, José F.
Haddad, Patricia A.                      Tucker, Paul F.
Haggerty, Richard M.                     Tyler, Chynah
Hawkins, James K.                        Ultrino, Steven
Hay, Stephan                             Vargas, Andres X.
Hecht, Jonathan                          Vega, Aaron
Hendricks, Christopher                   Vincent, RoseLee
Higgins, Natalie M.                      Vitolo, Tommy
Hogan, Kate                              Wagner, Joseph F.
Honan, Kevin G.                          Walsh, Thomas P.
Hunt, Daniel J.                          Whipps, Susannah M.
Kafka, Louis L.                           Williams, Bud L. – 112.
Keefe, Mary S.                            

NAYS — (48).

*Senators.*

deMacedo, Viriato M.                      Tarr, Bruce E.
Fattman, Ryan C.                          Tran, Dean A. – 5.
Humason, Donald F., Jr.                   

*Representatives.*

Ashe, Brian M.                            Kane, Hannah
Barrows, F. Jay                            Kelcourse, James M.
The yeas and nays having been completed at eleven minutes before four o’clock P.M., the amendment was agreed to.

Subsequently, a statement of Ms. Cronin of Easton was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session that I was unable to be present in the Chamber for today’s Joint Session due to illness. My missing of roll calls today is due entirely to the reason stated.

Subsequently a statement of Mr. Kearney of Scituate was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session the fact I was unable to be present in the Chamber for today’s Joint Session due to being on active duty as an Ensign in the United States Navy, until June 14. If I had been present in the Chamber today, I would have voted in the affirmative on House No. 86, A Proposal for a legislative amendment to the Constitution to provide resources for education and transportation through an additional tax on incomes in excess of one million dollars. My missing of roll calls today was due entirely to the reason stated.

Subsequently a statement of Ms. Khan of Newton was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session that I was unable to be present in the Chamber for today’s Joint Session due to being on official business attending a criminal justice reform conference in New York. If I could be present
today, I would have vote in favor of the Constitutional Amendment H. 86. My missing roll calls today is due entirely to the reason stated.

Subsequently a statement of Mr. Naughton of Clinton was spread upon the records of the Joint Session, as follows:

MADAM PRESIDENT: I would like to call to the attention of the Joint Session that I was unable to be present in the Chamber for Yea and Nay, No. 77 at today’s Joint Session due to a medical concern. If I could have been present, I would have voted in favor of the Constitutional Amendment House, No. 86. My missing of roll call No. 77 today was due entirely to the reason stated.

Without further action on the matters duly and constitutionally assigned for consideration, at twenty minutes past one o’clock P.M., on motion of Mr. Brownsberger, the Joint Session was recessed until Wednesday, November 13, 2019 at one o’clock P.M.; and the Senate withdrew from the House Chamber under the escort of the Sergeant-at-Arms.